

THE
HISTORY OF ENGLAND

FROM THE
INVASION OF JULIUS CÆSAR
TO
THE REVOLUTION IN 1688.
IN THREE VOLUMES.

BY
DAVID HUME, ESQ.

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TO WHICH IS PREFIXED,
A SHORT ACCOUNT OF HIS LIFE, WRITTEN BY HIMSELF.

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CONTENTS.

CHAPTER XLV.

Introduction.—James's first transactions.—State of Europe.—Rosen's negotiations.—Raleigh's conspiracy.—Hampton Court conference.—A parliament.—Peace with Spain 1-17

CHAPTER XLVI.

Gunpowder conspiracy.—A parliament.—Truce betwixt Spain and the United provinces.—A parliament.—Death of the French king.—Arminianism.—State of Ireland 17-35

CHAPTER XLVII.

Death of Prince Henry.—Marriage of the Princess Elizabeth with the Palatine.—Rise of Somerset.—His marriage.—Overbury poisoned.—Fall of Somerset.—Rise of Buckingham.—Cautionary towns delivered.—Affairs of Scotland 35-52

CHAPTER XLVIII.

Sir Walter Raleigh's expedition.—His execution.—Insurrections in Bohemia.—Loss of the Palatinate.—Negotiations with Spain.—A parliament.—Parties.—Fall of Bacon.—Rupture between the king and the commons.—Protestation of the commons 52-90

CHAPTER XLIX.

Civil government of England during this period.—Ecclesiastical government.—Manners.—Finances.—Navy.—Commerce.—Manufactures.—Colonies.—Learning and arts 90-114

CHAPTER L.

A parliament at Westminster.—At Oxford.—Naval expedition against Spain.—Second parliament.—Impeachment of Buckingham.—Violent measures of the court.—War with France.—Expedition to the isle of Rhé 114-135

Third parliament.—Petition of right.—Prorogation.—Death of Buckingham.—New session of parliament.—Tonnage and poundage.—Arminianism.—Dissolution of the parliament 135-158

CHAPTER LII.

Peace with France.—Peace with Spain.—State of the court and ministry.—Character of the queen.—Strafford.—Laud.—Innovations in the church.—Irregular levies of money.—Severities in the star-chamber and high commission.—Ship money.—Trial of Hampden. 159-181

CHAPTER LIII.

Discontents in Scotland.—Introduction of the canons and liturgy.—A tumult at Edinburgh.—The covenant. A general assembly. Episcopacy abolished.—War.—A pacification. Renewal of the war.—Fourth English parliament.—Discontents in England.—Rout at Newburn.—Treaty at Ripon.—Great council of the peers. 181-206

CHAPTER LIV.

Meeting of the Long Parliament.—Strafford and Laud impeached.—Finch and Windbank fly.—Great authority of the Commons.—The bishops attacked.—Tonnage and poundage.—Triennial bill.—Strafford's trial.—Bill of attainder.—Execution of Strafford.—High Commission and Star Chamber abolished.—King's journey to Scotland 206-240

CHAPTER LV.

Settlement of Scotland.—Conspiracy in Ireland.—Insurrection and massacre.—Meeting of the English parliament.—The remonstrance.—Reasons on both sides.—Impeachment of the bishops. Accusation of the five members.—Tumults.—King leaves London.—Arrives in York.—Preparations for civil war 240-279

CHAPTER LVI.

Commencement of the civil war.—State of parties.—Battle of Edgehill.—Negotiation at Oxford.—Victories of the royalists in the west. Battle of Stratton.—Of Lansdown.—Of Roundway-down.—Death of Hampden.—Bristol taken.—Siege of Gloucester.—Battle of Newbury.—Actions in the north of England.—Solemn league and covenant.—Arming of the Scots.—State of Ireland 279-309

Contents.

CHAPTER LVII.

Invasion of the Scots.—Battle of Marston-moor.—Battle of Cropredy-bridge.—Essex's forces disarmed.—Second battle of Newbury.—Rise and character of the Independents.—Self-denying ordinance.—Fairfax, Cromwell.—Treaty of Uxbridge.—Execution of Laud 310-332

CHAPTER LVIII.

Montrose's victories.—The new model of the army.—Battle of Naseby.—Surrender of Bristol.—The west conquered by Fairfax.—Defeat of Montrose.—Ecclesiastical affairs.—King goes to the Scots at Newark.—End of the war.—King delivered up by the Scots . . . 333-355

CHAPTER LIX.

Mutiny of the army.—The king seized by Joyce.—The army march against the parliament.—The army subdues the parliament.—The king flies to the Isle of Wight. Second civil war.—Invasion from Scotland. The treaty of Newport. The civil war and invasion repressed.—The king seized again by the army.—The house purged.—The king's trial.—And execution.—And character . . . 355-398

CHAPTER LX.

State of England.—of Scotland.—of Ireland.—Levellers suppressed.—Siege of Dublin raised.—Tredah stormed.—Covenanters.—Montrose taken prisoner.—executed.—Covenanters.—Battle of Dunbar.—of Worcester.—King's escape.—The commonwealth.—Dutch war.—Dissolution of the parliament 398-435

CHAPTER LXI.

Cromwell's birth and private life.—Barebone's parliament.—Cromwell made protector. Peace with Holland.—A new parliament.—Insurrection of the royalists.—State of Europe.—War with Spain.—Jamaica conquered.—Success and death of Admiral Blake.—Domestic administration of Cromwell.—Humble petition and advice.—Dunkirk taken.—Sickness of Cromwell.—Death.—Character 435-475

CHAPTER LXII

Richard acknowledged protector.—A parliament.—Cabal of Wallingford House.—Richard deposed.—Long parliament or Rump restored.—Conspiracy of the royalists.—Insurrection.—Suppressed.—Parliament expelled.—Committee of safety.—Foreign affairs.—General Monk.—Monk declares for the parliament.—Parliament restored.—

Monk enters London, declares for a free parliament.—Secluded members restored.—Long parliament dissolved.—New parliament.—The Restoration.—Manners and arts. 475-506

CHAPTER LXIII.

New ministry.—Act of indemnity.—Settlement of the revenue.—Trial and execution of the regicides.—Dissolution of the convention.—Parliament.—Prelacy restored.—Insurrection of the Millenarians.—Affairs of Scotland.—Conference at the Savoy.—Arguments for and against a comprehension.—A new parliament.—Bishops' seats restored.—Corporation act.—Act of uniformity.—King's marriage.—Trial of Vane—and execution.—Presbyterian clergy ejected.—Dunkirk sold to the French.—Declaration of indulgence.—Decline of Clarendon's credit 507-531

CHAPTER LXIV.

A new session.—Rupture with Holland.—A new session.—Victory of the English.—Rupture with France.—Rupture with Denmark.—New Session.—Sea-fight of four days.—Victory of the English.—Fire of London.—Advances towards peace.—Disgrace at Batham.—Peace of Breda.—Clarendon's fall—and banishment.—State of France.—Character of Lewis XIV.—French invasion of the Low Countries.—Negotiations.—Triple league.—Treaty of Aix-la-Chapelle.—Affairs of Scotland—and of Ireland. 532-562

CHAPTER LXV.

A parliament.—The Cabal.—Their characters.—Their counsels.—Alliance with France.—A parliament.—Coventry Act.—Blood's crimes.—The Duke of York declares himself Catholic.—Exchequer shut.—Declaration of indulgence.—Attack of the Smyrna fleet.—War declared with Holland.—Weakness of the States.—Battle of Solebay.—Sandwich killed.—Progress of the French.—Consternation of the Dutch.—Prince of Orange Stadtholder.—Massacre of the De Witts.—Good conduct of the Prince.—A parliament.—Declaration of indulgence recalled.—Sea-fight.—Another sea-fight.—Another.—Congress of Cologne.—A parliament.—Peace with Holland 562-598

CHAPTER LXVI.

Schemes of the Cabal.—Remonstrances of Sir William Temple.—Campaign of 1674.—A parliament.—Passive obedience.—A parliament.—Campaign of 1675.—Congress of Nimeguen.—Campaign of 1676.—Uncertain conduct of the king.—A parliament.—Campaign of 1677.—Parliament's distrust of the king.—Marriage of the Prince of Orange with the Lady Mary.—Plan of Peace.—Negotiations.—Campaign of 1678.—Negotiations.—Peace of Nimeguen.—State of affairs in Scotland 598-632

Contents.

CHAPTER LXVII.

The popish plot.—Oates's narrative and character.—Coleman's letters.—Godfrey's murder. General consternation.—The parliament. Zeal of the parliament.—Bedloe's narrative.—Accusation of Danby. His impeachment.—Dissolution of the Long Parliament.—Its character.—Trial of Coleman.—Of Ireland.—New elections.—Duke of Monmouth.—Duke of York retires to Brussels.—New parliament.—Danby's Impeachment.—Popish plot.—New council.—Limitations on a popish successor.—Bill of exclusion—Habeas corpus bill.—Prorogation and dissolution of the parliament.—Trial and execution of the five Jesuits—and of Langhorne—Wakeman acquitted.—State of affairs in Scotland.—Battle of Bothwell-bridge.—Defeat of the Covenanters 632-662

CHAPTER LXVIII.

State of parties.—State of the ministry. Meal tub plot—Whig and Tory.—A new parliament.—Violence of the commons.—Exclusion bill.—Arguments for and against the exclusion.—Exclusion bill rejected.—Trial of Stafford.—His execution.—Violence of the commons.—Dissolution of the parliament.—New parliament at Oxford.—Fitzharris—Parliament dissolved.—Victory of the Royalists 662-686

CHAPTER LXIX.

State of affairs in Ireland.—Shaftesbury acquitted.—Argyle's trial.—State of affairs in Scotland.—State of the ministry in England.—New nomination of Sheriffs.—Quo warrantos.—Great power of the crown.—A conspiracy.—Shaftesbury retires and dies.—Rye-house plot.—Conspiracy discovered.—Execution of the conspirators.—Trial of Lord Russell.—His execution.—Trial of Algernon Sidney.—His execution.—State of the nation.—The state of foreign affairs.—King's sickness and death—and character 686-715.

CHAPTER LXX.

The king's first transactions.—A parliament.—Arguments for and against a revenue for life.—Oates convicted of perjury.—Monmouth's invasion.—His defeat—and execution.—Cruelties of Kirke—and of Jefferies.—State of affairs in Scotland.—Argyle's invasion—defeat—and execution.—A parliament.—French persecutions.—The dispensing power.—State of Ireland.—Breach betwixt the king and the church.—Court of ecclesiastical commission—Sentence against the Bishop of London.—Suspension of the penal laws.—State of Ireland.—Embassy to Rome.—The attempt upon Magdalen College.—The imprisonment—trial, and acquittal of the six bishops.—Birth of the Prince of Wales 715-748

CHAPTER LXXI.

Conduct of the Prince of Orange.—He forms a league against France—refuses to court with the king—resolves to oppose the king.—Is applied to by the English.—Coalition of parties.—Prince's preparations.—Offers of France to the king—rejected.—Supposed league with France.—General discontents.—The king retracts his measures.—Prince's declaration.—The prince lands in England.—General commotion.—Desertion of the army—and of Prince George—and of the Princess Anne.—King's consternation—and flight.—General confusion.—King seized at Faversham.—Second escape.—King's character.—Convention summoned.—Settlement of Scotland.—English convention meets.—Views of the parties.—Free conference between the houses—Commons prevails.—Settlement of the crown.—Manners and sciences 748-783

[For Hume's opinion of the *Icon*, see p. 397, this vol.]

'IT seems natural not to leave untouched, in this place, the famous problem of the *Icon Basilicé*, which has been deemed an irrefragable evidence both of the virtues and the talents of Charles. But the authenticity of this work can hardly be any longer a question among judicious men. We have letters from Clarendon and his family, asserting it as his own in the most express terms, and making it the ground of a claim for reward. We know that the king's sons were both convinced that it was not their father's composition, and that Clarendon was satisfied of the same. If Clarendon not only set up a false claim to so famous a work, but persuaded those nearest to the king to surrender that precious record, as it had been reckoned, of his dying sentiments, it was an instance of successful impudence which has hardly a parallel. But I should be content to rest the case on that internal evidence, which has been so often alleged for its authenticity. The *Icon* has to my judgment all the air of a fictitious composition. Cold, stiff, elaborate, without a single allusion that bespeaks the superior knowledge of facts, which the king must have possessed, it contains little but those rhetorical common-places which would suggest themselves to any forger. The prejudices of party, which exercise a strange influence in matters of taste, have caused this book to be extravagantly praised. It has doubtless a certain air of grave dignity, and the periods are more artificially constructed than was usual in that age (a circumstance not in favour of its authenticity); but the style is encumbered with frigid metaphors, as is said to be the case in Clarendon's acknowledged writings; and the thoughts are neither beautiful, nor always exempt from affectation. The king's letters during his imprisonment, preserved in the Clarendon State Papers, and especially one to his son, from which an extract is given in the History of the Rebellion, are more satisfactory proofs of his integrity than the laboured self-panegyrics of the *Icon Basilicé*.'

HENRY HALLAM.

Const. Hist. Eng., Chap. x.

THE
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BY
DAVID HUME, ESQ.

CHAPTER XLV.

JAMES I.

Introduction.—James's first transactions.—State of Europe.—Rosni's negotiations.—Raleigh's conspiracy.—Hampton Court conference.—A parliament.—Peace with Spain.

THE crown of England was never transmitted from father to son with greater tranquillity than it passed from the family of Tudor to that of Stuart. During the whole reign of Elizabeth, the eyes of men had been employed in search of her successor, and when old age made the prospect of her death more immediate, there appeared none but the King of Scots who could advance any just claim or pretension to the throne. He was great-grandson of Margaret, elder daughter of Henry VII., and on the failure of the male line, his hereditary right remained unquestionable. If the religion of Mary, Queen of Scots, and the other prejudices contracted against her, had formed any considerable obstacle to her succession, these objections being entirely personal, had no place with regard to her son. Men also considered that, though the title derived from blood had been frequently violated since the Norman conquest, such licences had proceeded more from force or intrigue, than from any deliberate maxims of government. The lineal heir had still in the end prevailed, and both his exclusion and restoration had been commonly attended with such convulsions as were sufficient to warn all prudent men not lightly to give way to such irregularities. If the will of Henry VIII., authorized by act of parliament, had tacitly excluded the Scottish line, the tyranny and caprices of that monarch had been so signal, that a settlement of this nature, unsupported by any just reason, had no authority with the people. Queen Elizabeth, too, with her dying breath had recognised the undoubted title of her kinsman James, and the whole nation seemed to dispose themselves with joy and pleasure for his reception. Though born and educated amidst a foreign and hostile people, men hoped from his character of moderation and wisdom, that he would embrace the maxims of an English monarch; and the prudent foresaw greater advantages resulting from a union with Scotland, than disadvantages from submitting to a prince of that nation. The alacrity with which the English looked toward the successor, had appeared so evident to Elizabeth, that, concurring

2 *James VI. of Scotland becomes James I. of England.*

with other causes, it affected her with the deepest melancholy; and that wise princess, whose penetration and experience had given her the greatest insight into human affairs, had not yet sufficiently weighed the ingratitude of courtiers and levity of the people.

As victory abroad and tranquillity at home had attended this princess, she left the nation in such flourishing circumstances, that her successor possessed every advantage, except that of comparison with her illustrious name, when he mounted the throne of England. The king's journey (A.D. 1603) from Edinburgh to London, immediately afforded to the inquisitive some circumstances of comparison, which even the natural partiality in favour of their new sovereign could not interpret to his advantage. As he passed along, all ranks of men flocked about him from every quarter, allured by interest or curiosity. Great were the rejoicings, and loud and hearty the acclamations which resounded from all sides, and everyone could remember how the affability and popular manners of their queen displayed themselves amidst such concourse and exultation of her subjects. But James, though sociable and familiar with his friends and courtiers, hated the bustle of a mixed multitude, and, though far from disliking flattery, yet was he still fonder of tranquillity and ease. He issued therefore a proclamation, forbidding this resort of people, on pretence of the scarcity of provisions, and other inconveniences, which he said would necessarily attend it (Kennet, p. 662).

He was not, however, insensible to the great flow of affection which appeared in his new subjects, and being himself of an affectionate temper, he seems to have been in haste to make them some return of kindness and good offices. To this motive probably, we are to ascribe that profusion of titles which was observed in the beginning of his reign, when, in six weeks' time after his entrance into the kingdom, he is computed to have bestowed knighthood on no less than 237 persons. If Elizabeth's frugality of honours, as well as of money, had formerly been repined at, it began now to be valued and esteemed; and everyone was sensible that the king by his lavish and premature conferring of favours, had failed of obliging the persons on whom he bestowed them. Titles of all kinds became so common, that they were scarcely marks of distinction, and being distributed without choice or deliberation to persons unknown to the prince, were regarded more as the proofs of facility and good-nature, than of any determined friendship or esteem.

A pasquinade was affixed to St Paul's, in which an art was promised to be taught, very necessary to assist frail memories in retaining the names of the new nobility (Wilson, in Kennet, p. 665).

We may presume that the English would have thrown less blame on the king's facility in bestowing favours, had these been confined entirely to their own nation, and had not been shared out in too unequal proportions to his old subjects. James, who through his whole reign was more guided by temper and inclination than by the rules of political prudence, had brought with him great numbers of his Scottish courtiers, whose impatience and importunity were apt in many particulars to impose on the easy nature of their master, and extort favours, of which it is natural to imagine his English subjects would

loudly complain. The Duke of Lennox, the Earl of Mar, Lord Hume, Lord Kinloss, Sir George Hume, Secretary Elphinstone (Wilson, in Kennet, p. 662), were immediately added to the English privy council. Sir George Hume, whom he created Earl of Dunbar, was his declared favourite as long as that nobleman lived, and was one of the wisest and most virtuous, though the least powerful, of all those whom the king ever honoured with that distinction. Hay, some time after, was created Viscount Doncaster, then Earl of Carlisle, and got an immense fortune from the crown, all of which he spent in a splendid and courtly manner. Ramsay obtained the title of Earl of Holderness, and many others being raised on a sudden to the highest elevation, increased by their insolence that envy which naturally attended them as strangers and ancient enemies.

It must, however, be owned in justice to James, that he left almost all the chief offices in the hands of Elizabeth's ministers, and trusted the conduct of political concerns, both foreign and domestic, to his English subjects. Among these, Secretary Cecil, created successively Lord Essendon, Viscount Cranborne, and Earl of Salisbury, was always regarded as his prime minister and chief counsellor. Though the capacity and penetration of this minister was sufficiently known, his favour with the king created surprise on the accession of that monarch. The secret correspondence into which he had entered with James, and which had sensibly contributed to the easy reception of that prince in England, laid the foundation of Cecil's credit, and while all his former associates, Sir Walter Raleigh, Lord Grey, Lord Cobham, were discountenanced on account of their animosity against Essex, as well as for other reasons, this minister was continued in employment, and treated with the greatest confidence and regard.

The capacity of James and his ministers in negotiation was immediately put to trial, on the appearance of ambassadors from almost all the princes and states of Europe, in order to congratulate him on his accession, and to form with him new treaties and alliances. Beside ministers from Venice, Denmark, and the Palatinate, Henry Frederick of Nassau, assisted by Barnevelt the pensionary of Holland, was ambassador from the states of the United Provinces. Arceberg was sent by Archduke Albert, and Taxis was expected in a little time from Spain. But he who most excited the attention of the public, both on account of his own merit and that of his master, was the Marquess of Rosni, afterwards Duke of Sully, prime minister and favourite of Henry IV. of France.

When the dominions of the house of Austria devolved on Philip II., all Europe was struck with terror, lest the power of a family which had been raised by fortune, should now be carried to an immeasurable height by the wisdom and conduct of this monarch. But never were apprehensions found in the event to be more groundless. Slow without prudence, ambitious without enterprise, false without deceiving anybody, and refined without any true judgment,—such was the character of Philip, and such the character which, during his lifetime and after his death, he impressed on the Spanish councils. Revolted or depopulated provinces, discontented or indolent inhabitants, were the spectacles which those dominions, lying in every climate of the globe, presented to

Philip III., a weak prince, and to the Duke of Lerma, a minister weak and odious. But though military discipline, which still remained, was what alone gave some appearance of life and vigour to that languishing body, yet so great was the terror produced by former power and ambition, that the reduction of the house of Austria was the object of men's vows throughout all the states of Christendom. It was not perceived that the French empire, now united in domestic peace, and governed by the most heroic and most amiable prince that adorns modern story, was become of itself a sufficient counterpoise to the Spanish greatness. Perhaps that prince himself did not perceive it when he proposed by his minister a league with James, in conjunction with Venice, the United Provinces, and the northern crowns, in order to attack the Austrian dominions on every side, and depress the exorbitant power of that ambitious family (Sully's Mem.). But the genius of the English monarch was not equal to such vast enterprises. The love of peace was his ruling passion, and it was his peculiar felicity that the conjunctures of the times rendered the same object which was agreeable to him, in the highest degree advantageous to his people.

The French ambassador, therefore, was obliged to depart from these extensive views, and to concert with James the means of providing for the safety of the United Provinces: nor was this object altogether without its difficulties. The king, before his accession, had entertained scruples with regard to the revolt of the Low Countries; and being commonly open and sincere (La Boëtie, vol. i., p. 120), he had, on many occasions, gone so far as to give to the Dutch the appellation of rebels (Winwood, vol. ii., p. 55): but having conversed more fully with English ministers and courtiers, he found their attachment to that republic so strong, and their opinion of common interest so established, that he was obliged to sacrifice to politics his sense of justice; a quality which, even when erroneous, is respectable as well as rare in a monarch. He therefore agreed with Rosni to support secretly the states-general, in concert with the King of France; lest their weakness and despair should oblige them to submit to their old master. The articles of the treaty were few and simple. It was stipulated, that the two kings should allow the Dutch to levy forces in their respective dominions, and should underhand remit to that republic the sum of 1,400,000 livres a year for the pay of these forces: that the whole sum should be advanced by the King of France; but that the third of it should be deducted from the debt due by him to Queen Elizabeth. And if the Spaniard attacked either of the princes, they agreed to assist each other; Henry with a force of ten thousand men, James with that of six. This treaty, one of the wisest and most equitable concluded by James during the course of his reign, was more the work of the prince himself, than any of his ministers (Sully's Mem.).

Amidst the great tranquillity, both foreign and domestic, with which the nation was blest, nothing could be more surprising than the discovery of a conspiracy to subvert the government, and to fix on the throne Arabella Stuart, a near relation of the king's by the family of Lenox, and descended equally from Henry VII. Everything remains still mysterious in this conspiracy; and history can give us no clue to unravel it. Watson and Clarke, two catholic priests, were accused of

the plot; Lord Grey, a puritan, Lord Cobham, a thoughtless man, of no fixed principle; and Sir Walter Raleigh, suspected to be of that philosophical sect, who were then extremely rare in England, and who have since received the appellation of *free-thinkers*: together with these, Mr. Broke, brother to Lord Cobham, Sir Griffin Markham, Mr. Copeley, Sir Edward Parham. What cement could unite men of such discordant principles in so dangerous a combination; what end they proposed, or what means proportioned to an undertaking of this nature, has never yet been explained, and cannot easily be imagined. As Raleigh, Grey, and Cobham were commonly believed, after the queen's death, to have opposed proclaiming the king, till conditions should be made with him; they were upon that account extremely obnoxious to the court and ministry; and people were apt, at first, to suspect that the plot was merely a contrivance of Secretary Cecil, to get rid of his old confederates, now become his most inveterate enemies. But the confession, as well as trial of the criminals, put the matter beyond doubt (State Trials, p. 180, 2nd. edit. Winwood, vol. ii, pp. 8, 11). And, though no one could find any marks of a concerted enterprise, it appeared that men of furious and ambitious spirits, meeting frequently together, and believing all the world discontented like themselves, had entertained very criminal projects, and had even entered, some of them at least, into a correspondence with Armburg, the Flemish ambassador, in order to give disturbance to the new settlement.

The two priests (November 29), and Broke (December 5), were executed: Cobham, Grey, and Markham, were pardoned (Dec. 9), after they had laid their heads upon the block (Winwood, vol. ii, p. 11). Raleigh, too, was reprieved, not pardoned; and he remained in confinement many years afterwards.

It appears from Sully's Memoirs, that Raleigh secretly offered his services to the French ambassador; and we may thence presume, that, meeting with a repulse from that quarter, he had recourse, for the same unwarrantable purposes, to the Flemish minister. Such a conjecture we are now enabled to form; but it must be confessed, that, on his trial, there appeared no proof of this transaction, nor indeed any circumstance which could justify his condemnation. He was accused by Cobham alone, in a sudden fit of passion, upon hearing that Raleigh, when examined, had pointed out some circumstances, by which Cobham's guilt might be known and ascertained. This accusation Cobham afterwards retracted, and soon after he retracted his retraction. Yet, upon the written evidence of this single witness, a man of no honour or understanding, and so contradictory in his testimony—not confronted with Raleigh, not supported by any concurring circumstance—was that great man, contrary to all law and equity, found guilty by the jury. His name at that time was extremely odious in England; and every man was pleased to give sentence against the capital enemy of Essex, the favourite of the people.

Sir Edward Coke, the famous lawyer, then attorney-general, managed the cause for the crown, and threw out on Raleigh such gross abuse as may be deemed a great reflection, not only on his own memory, but even, in some degree, on the manners of the age. Traitor, monster, viper, and spider of hell, are the terms which he employs against one

of the most illustrious men of the kingdom, who was under trial for life and fortune, and who defended himself with temper, eloquence and courage. (State Trials, 1st edit., pp. 176, 177, 182).

The next occupation (A.D. 1604), of the king was entirely according to his heart's content. He was employed in dictating magisterially to an assembly of divines concerning points of faith and discipline, and in receiving the applause of these holy men for his superior zeal and learning. The religious disputes between the church and the puritans had induced him to call a conference at Hampton Court, on pretence of finding expedients which might reconcile both parties.

Though the severities of Elizabeth towards the catholics had much weakened that party, whose genius was opposite to the prevailing spirit of the nation; like severities had so little influence on the puritans, who were encouraged by that spirit, that no less than seven hundred and fifty clergymen of that party signed a petition to the king on his accession; and many more seemed willing to adhere to it (Fuller, book 10; Collier, vol. ii., p. 672). They all hoped that James, having received his education in Scotland, and having sometimes possessed an attachment to the church established there, would at least abate the rigour of the laws enacted in support of the ceremonies, and against puritans; if he did not show more particular grace and encouragement to that sect. But the king's disposition had taken strongly a contrary bias. The more he knew the puritanical clergy, the less favour he bore to them. He had remarked in their Scottish brethren a violent turn towards republicanism, and a zealous attachment to civil liberty; principles nearly allied to that religious enthusiasm with which they were actuated. He had found that, being mostly persons of low birth and mean education, the same lofty pretensions which attended them in their familiar addresses to their Maker, of whom they believed themselves the peculiar favourites, induced them to use the utmost freedoms with their earthly sovereign. In both capacities, of monarch and of theologian, he had experienced the little complaisance which they were disposed to show him; whilst they controlled his commands, disputed his tenets, and, to his face, before the whole people, censured his conduct and behaviour. If he had submitted to the indignity of counting their favour, he treasured up, on that account, the stronger resentment against them, and was determined to make them feel, in their turn, the weight of his authority. Though he had often met with resistance and faction and obstinacy in the Scottish nobility, he retained no ill-will to that order; or rather showed them favour and kindness in England, beyond what reason and sound policy could well justify: but the ascendant which the presbyterian clergy had assumed over him was what his monarchical pride could never thoroughly digest.¹

He dreaded likewise the popularity which attended this order of men in both kingdoms. As useless austerities and self-denial are imagined, in many religions, to render us acceptable to a benevolent Being who created us solely for happiness, James remarked, that the

¹ James ventured to say in his Basilicon Doyon, published while he was in Scotland: 'I protest before the grete God, and since I am here as upon my Testament, it is no place for me to be in, that ye shall never find with any Highland or Borderer Thieves, greater ingratitude and more lies and vile perjuries, than with these fanthe spirits. And suffer not the principle of them to brook your land.' K. James's Works, p. 101.

rustic severity of these clergymen, and of their whole sect, had given them, in the eyes of the multitude, the appearance of sanctity and virtue. Strongly inclined himself to mirth and wine and sports of all kinds, he apprehended their censure for his manner of life, free and disengaged. And, being thus averse, from temper, as well as policy, to the sect of puritans, he was resolved, if possible, to prevent its farther growth in England.

But it was the character of James's councils, throughout his whole reign, that they were more wise and equitable in their end, than prudent and political in the means. Though justly sensible that no part of civil administration required greater care or a nicer judgment than the conduct of religious parties, he had not perceived that, in the same proportion as this practical knowledge of theology is requisite, the speculative refinements in it are mean and even dangerous in a monarch. By entering zealously into frivolous disputes, James gave them an air of importance and dignity which they could not otherwise have acquired; and, being himself enlisted in the quarrel, he could no longer have recourse to contempt and ridicule, the only proper method of appeasing it. The Church of England had not yet abandoned the rigid doctrines of grace and predestination: the puritans had not yet separated themselves from the church, nor openly renounced episcopacy. Though the spirit of the parties was considerably different, the only appearing subjects of dispute were concerning the cross in baptism, the ring in marriage, the use of the surplice, and the bowing at the name of Jesus. These were the mighty questions which were solemnly agitated in the conference at Hampton Court between some bishops and dignified clergymen on the one hand, and some leaders of the puritanical party on the other; the king and his ministers being present (Fuller's Eccles. Hist.).

The puritans were here so unreasonable as to complain of a partial and unfair management of the dispute: as if the search after truth were in any degree the object of such conferences; and a candid indifference, so rare even among private inquirers in 'philosophical' questions, could ever be expected among princes and prelates, in a 'theological' controversy. The king, it must be confessed, from the beginning of the conference (Jan. 4), showed the strongest propensity to the established church, and frequently inculcated a maxim which, though it has some foundation, is to be received with great limitations,—NO BISHOP, NO KING. The bishops, in their turn, were very liberal of their praises towards the royal disputant; and the Archbishop of Canterbury said, that 'undoubtedly his majesty spake by the special assistance of God's Spirit' (Kennet, p. 665). A few alterations in the liturgy were agreed to, and both parties separated with mutual dissatisfaction.

It had frequently been the practice of the puritans to form certain assemblies, which they called 'prophesyings;' where alternately, as moved by the spirit, they displayed their zeal in prayers and exhortations, and raised their own enthusiasm, as well as that of their audience, to the highest pitch, from that social contagion, which has so mighty an influence on holy fervours, and from the mutual emulation, which arose in those trials of religious eloquence. Such dangerous societies

8 *The Plague in London. Privileges of the Commons.*

had been suppressed by Elizabeth; and the ministers in this conference moved the king for their revival. But James sharply replied, 'If you aim at a Scottish presbytery, it agrees as well with monarchy as God and the devil. There Jack and Tom and Will and Dick shall meet and censure me and my council. Therefore I reiterate my former speech: *Le Roi s'avisera*. Stay, I pray, for one seven years before you demand; and then, if you find me grow pursie and fat, I may perchance hearken unto you. For that government will keep me in breath, and give me work enough' (Fuller's Eccles. Hist.). Such were the political considerations which determined the king in his choice among religious parties.

The next assembly in which James displayed his learning and eloquence, was one that showed more spirit of liberty than appeared among his bishops and theologians. The parliament (March 19) was now ready to assemble; being so long delayed on account of the plague, which had broken out in London, and raged to such a degree, that above 30,000 persons are computed to have died of it in a year; though the city contained at that time little more than 150,000 inhabitants.

The speech which the king made on opening the parliament fully displays his character, and proves him to have possessed more knowledge and better parts, than prudence or any just sense of decorum and propriety.¹ Though few productions of the age surpass this performance either in style or matter, it wants that majestic brevity and reserve which becomes a king in his addresses to the great council of the nation. It contains, however, a remarkable stroke of candour, where he confesses his too great facility in yielding to the solicitations of suitors (K. James's Works, pp. 495, 499). a fault which he promises to correct; but which adhered to him, and distressed him, during the whole course of his reign.

The first business in which the commons were engaged, was of the utmost importance to the preservation of their privileges; and neither temper nor resolution were wanting in their conduct of it.

In former periods of the English government, the house of commons was of so small weight in the balance of the constitution, that little attention had been given, either by the crown, the people, or the house itself, to the choice and continuance of the members. It had been usual, after parliaments were prolonged beyond one session, for the chancellor to exert a discretionary authority of issuing new writs to supply the place of any members whom he judged incapable of attending, either on account of their employment, their sickness, or other impediment. This practice gave that minister, and consequently the prince, an unlimited power of modelling at pleasure the representatives of the nation; yet so little jealousy had it created, that the commons, of themselves, without any court influence or intrigue, and contrary to some former votes of their own, confirmed it in the twenty-third of Elizabeth (Journ., Jan 19, 1580) At that time, though some members, whose places had been supplied on account of sickness, having now recovered their health, appeared in the house, and claimed their seat, such was the authority of the chancellor, that, merely out of respect to

¹ King James's Works, pp 484, 485, etc; Journ., March 22, 1603, Kennet, p. 668.

him, his sentence was adhered to, and the new members were continued in their places. Here a most dangerous prerogative was conferred on the crown: but to show the genius of that age, or rather the channels in which power then ran, the crown put very little value on this authority; insomuch that two days afterwards, the chancellor, of himself, resigned it back to the commons, and gave them power to judge of a particular vacancy in their house. And when the question concerning the chancellor's new writs was again brought on the carpet, towards the end of the session, the commons were so little alarmed at the precedent, that, though they re-admitted some old members, whose seats had been vacated on account of slight indispositions, yet they confirmed the chancellor's sentence, in instances where the distemper appeared to have been dangerous and incurable (*Journ.*, Mar. 18, 1580; also D'Ewes, p. 430). Nor did they proceed any farther, in vindication of their privileges, than to vote 'that during the sitting of parliament, there do not, at any time, any writ go out for choosing or returning any member without the warrant of the house.' In Elizabeth's reign, we may remark, and the reigns preceding, sessions of parliament were not usually the twelfth part so long as the vacations; and during the latter, the chancellor's power, if he pleased to exert it, was confirmed,—at least left,—by this vote, as unlimited and unrestrained as ever.

In a subsequent parliament, the absolute authority of the queen was exerted in a manner still more open; and began for the first time to give alarm to the commons. New writs having been issued by the chancellor, when there was no vacancy, and a controversy arising upon that incident, the queen sent a message to the house, informing them that it were impertinent for them to deal in such matters. These questions, she said, belonged only to the chancellor; and she had appointed him to confer with the judges, in order to settle all disputes with regard to elections. The commons had the courage, a few days after, to vote, 'That it was a most perilous precedent, where two knights of a county were duly elected, if any new writ should issue out for a second election, without order of the house itself; that the discussing and adjudging of this and such like differences belonged only to the house; and that there should be no message sent to the Lord Chancellor, not so much as to inquire what he had done in the matter; because it was conceived to be a matter derogatory to the power and privilege of the house' (D'Ewes, p. 397). This is the most considerable, and almost only instance, of parliamentary liberty, which occurs during the reign of that princess.

Outlaws, whether on account of debts or crimes, had been declared by the judges (39 II. 6) incapable of enjoying a seat in the house, where they must themselves be lawgivers; but this opinion of the judges had been frequently over-ruled. I find, however, in the case of Vaughan (*Journ.*, Feb. 8, 1580), who was questioned for an outlawry, that, having proved all his debts to have been contracted by suretiship, and to have been, most of them, honestly compounded, he was allowed, on account of these favourable circumstances, to keep his seat; which plainly supposes that, otherwise, it would have been vacated, on account of the outlawry.¹

¹ In a subsequent parliament, that of the 35th of the queen, the commons, after great debate,

When James summoned this parliament, he issued a proclamation (Jan. 11, 1604; Rymel, tom. xvi., p. 561); in which, among many general advices, which, like a kind tutor, he bestowed on his people, he strictly enjoins them not to choose any outlaw for their representative. And he adds, 'If any person take upon him the place of knight, citizen, or burgess, not being duly elected, according to the laws and statutes in that behalf provided, and according to the purport, effect, and true meaning of this our proclamation, then every person so offending, to be fined or imprisoned for the same.' A proclamation here was plainly put on the same footing with a law, and that in so delicate a point as the right of elections. most alarming circumstances, had there not been reason to believe that this measure, being entered into so early in the king's reign, proceeded more from precipitation and mistake, than from any serious design of invading the privileges of parliament.¹

Sir Francis Goodwin was chosen member for the county of Bucks; and his return, as usual, was made into chancery. The chancellor, pronouncing him an outlaw, vacated his seat, and issued writs for a new election (Winwood, vol. ii., pp. 18, 19). Sir John Fortescue was chosen in his place by the county; but the first act of the house was to reverse the chancellor's sentence, and restore Sir Francis to his seat. At the king's suggestion, the lords desired a conference on the subject; but were absolutely refused by the commons, as the question entirely regarded their own privileges (Journ., Mar. 26, 1604). The commons, however, agreed to make a remonstrance to the king, by the mouth of their speaker, in which they maintained that, though the returns were by form made into chancery, yet the sole right of judging with regard to elections belonged to the house itself, not to the chancellor (Journ., April 3, 1604). James was not satisfied, and ordered a conference between the house and the judges, whose opinion in this case was opposite to that of the commons. This conference, he said, he commanded as an *absolute* king,² an epithet, we are apt to imagine, not very grateful to English ears, but one to which they had already been

expressly voted, that a person outlawed might be elected. D'Ewes, p. 518. But, as the matter had been much contested, the king might think the vote of the house no law, and might esteem his own decision of more weight than theirs. We may also suppose that he was not acquainted with this vote. Queen Elizabeth, in her speech to her last parliament, complained of their admitting outlaws, and represents that conduct of the house as a great abuse.

¹ The Duke of Sully tells us, that it was a maxim of James, that no prince, in the first year of his reign, should begin any considerable undertaking. A maxim is possible in itself, and very suitable to his cautious, not to say timid, character. The facility with which he departed from this pretention, is another proof that his meaning was innocent. But had the privileges of parliament been at that time exactly ascertained, or royal power fully limited, could such an imagination ever have been entertained by him, as to think that his proclamations could regulate parliamentary elections?

² Sir Charles Cornwallis, the king's ambassador at Madrid, when pressed by the Duke of Lerma to enter into a league with Spain, said to that minister: 'Though his majesty was an *absolute* king, and therefore not bound to give an account to any, of his actions, yet that so gracious and regal prince he was of the love and contentment of his own subjects, as I assured myself he would not think it fit to do anything of so great consequence without acquainting them with his intentions.' Winwood, vol. ii., p. 22. Sir Walter Raleigh has this passage in the preface to his History of the World. Philip II., by strong hand and main force, attempted to make himself not only an *absolute monarch* over the Netherlands, like unto the kings and monarchs of England and France, but, Turk like, to tread under his feet all their natural and fundamental laws, privileges, and ancient rights.' We meet with this passage in Sir John Davis's question concerning impositions, p. 161. 'Thus we see by this comparison, that the King of England doth lay but his little finger upon his subjects, when other princes and states do lay their heavy loins upon their people. What is the reason

somewhat accustomed from the mouth of Elizabeth (Camden, in Kennet, p. 375). He added, 'That all their privileges were derived from his grant, and hoped they would not turn them against him, (Journ., Mar. 29, April 5, 1604); a sentiment which, from her conduct, it is certain that princess had also entertained, and which was the reigning principle of her courtiers and ministers, and the spring of all her administration.

The commons were in some perplexity. Their eyes were now opened, and they saw the consequence of that power which had been assumed by the chancellor, and to which their predecessors had, in some instances, blindly submitted. 'By this course,' said a member, 'the free election of the counties is taken away, and none shall be chosen but such as shall please the king and council. Let us, therefore, with fortitude, understanding, and sincerity, seek to maintain our privilege. This cannot be construed any contempt in us, but merely a maintenance of common right, which our ancestors have left us, and which it is just and fit for us to transmit to our posterity' (Journ., Mar. 30, 1604). Another said (Id. *ibid.*), 'This may be called a *quo warranto* to seize all our liberties.' A chancellor, added a third, 'by this course, may call a parliament consisting of what persons he pleases. Any suggestion, by any person, may be the cause of sending a new writ. It is come to this plain question, whether the chancellor or parliament ought to have authority' (Id. *ibid.*).

Notwithstanding this watchful spirit of liberty which now appeared in the commons, their deference for majesty was so great, that they appointed a committee to confer with the judges before the king and council. There the question of law began to appear in James's eyes a little more doubtful than he had hitherto imagined it; and in order to

'of this difference? From whence cometh it? Assuredly not from a different power or prerogative. For the King of England is as absolute a monarch as any emperor or king in the world, and hath as many prerogatives, incident to his crown.' Coke, in *Calwall's* case, says: 'That by the ancient laws of this realm, England is an *absolute* empire and monarchy; and that the king is furnished with plenary and entire power, prerogative, and jurisdiction, and is supreme governor over all persons within this realm.' Spicert, speaking of some grants of the English kings to the Irish corporations, says: 'All which, though at the time of their first grant they were tolerable, and perhaps reasonable, yet now are most unreasonable and inconvenient. But all these will easily be cut off, with the superior power of her majesty's prerogative, against which her own grants are not to be pleaded or enforced.' State of Ireland, p. 137, edit. 1706. The same author, in p. 1606, proposes a plan for the civilization of Ireland; that the queen should create a provost marshal in every county, who might ride about with eight or ten followers in search of stragglers and vagabonds. The first time he catches any, he may punish them more lightly, by the stocks, the second time, by whipping; but the third time, he may hang them, without trial or process, on the first bough. And he thinks, that this authority may more safely be entrusted to the provost marshal than to the sheriff, because the latter magistrate, having a profit by the executions of felons, may be tempted to hang innocent persons. Here a real absolute, or rather despotic power is pointed out, and we may infer from all these passages, either that the word *absolute* bore a different sense from what it does at present, or that men's ideas of the English, as well as Irish government, were then different. This latter inference seems juster. The word being derived from the French, bore always the same sense as in that language. An absolute monarchy in Charles I.'s answer to the nineteen propositions is opposed to a limited; and the King of England is acknowledged not to be absolute. So much had matters changed even before the civil war. In Sir John Potesque's treatise of absolute and limited monarchy, a book written in the reign of Edward the 14th, the word *absolute* is taken in the same sense as at present; and the government of England is also said not to be absolute. They were the princes of the house of Tudor chiefly, who introduced that administration which had the appearance of absolute government. The princes before them were restrained by the barons, as those after them by the house of commons. The people had, properly speaking, little liberty in either of these ancient governments; but least, in the more ancient.

extricate himself with some honour, he proposed that both Goodwin and Fotescue should be set aside, and a writ be issued, by warrant of the house, for a new election. Goodwin gave his consent, and the commons embraced the expedient; but in such a manner; that while they showed their regard for the king, they secured for the future the free possession of their seats, and the right which they claimed, of judging solely in their own elections and returns.¹

A power like this, so essential to the exercise of all their other powers, themselves so essential to public liberty, cannot fairly be deemed an encroachment in the commons; but must be regarded as an inherent privilege, happily rescued from that ambiguity which the negligence of some former parliaments had thrown upon it.

At the same time the commons, in the case of Sir Thomas Shirley, established their power of punishing, as well the persons at whose suit any member is arrested, as the officers who either arrest or detain him. Their asserting of this privilege admits of the same reflection (Journ., 6th and 7th May, 1604)

About this period, the minds of men throughout Europe, especially in England, seem to have undergone a general, but insensible revolution. Though letters had been revived in the preceding age, they were chiefly cultivated by those of sedentary professions; nor had they, till now, begun to spread themselves in any degree among men of the world. Arts, both mechanical and liberal, were every day receiving great improvements. Navigation had extended itself over the whole globe. Travelling was secure and agreeable; and the general system of politics in Europe was become more enlarged and comprehensive.

In consequence of this universal fermentation, the ideas of men enlarged themselves on all sides; and the several constituent parts of the Gothic governments, which seem to have lain long inactive, began everywhere to operate and encroach on each other. On the continent, where the necessity of discipline had begotten standing armies, the princes commonly established an unlimited authority, and overpowered, by force or intrigue, the liberties of the people. In England, the love of freedom, which, unless checked, flourishes extremely in all liberal natures, acquired new force, and was regulated by more enlarged views, suitably to that cultivated understanding which became every day more common among men of birth and education. A familiar acquaintance with the precious remains of antiquity excited, in every generous breast a passion for a limited constitution, and begat an emulation of those manly virtues, which the Greek and Roman authors, by such animating examples, as well as pathetic expressions, recommend to us. The severe, though popular government

¹ Even this parliament, which showed so much spirit and good sense in the affair of Goodwin, made a strange concession to the crown in their fourth session. Toby Matthews, a member, had been banished by order of the council upon direction from his majesty. The parliament not only acquiesced in this arbitrary proceeding, but issued writs for a new election. Such novices were they, as yet, in the principles of liberty! See Journ., Feb. 24, 1600. Matthews was banished by the king, on account of his change of religion to Popery. The king had an indulgence to those who had been educated Catholics, but could not bear the new converts. It was probably the animosity of the commons against the papists, which made them acquiesce in this precedent without reflecting on the consequences. The jealousy of liberty, though roused, was not yet thoroughly enlightened.

of Elizabeth, had confined this rising spirit within very narrow bounds; but when a new and a foreign family succeeded to the throne, and a prince less dreaded and less beloved, symptoms immediately appeared of a more free and independent genius in the nation.

Happily this prince possessed neither sufficient capacity to perceive the alteration, nor sufficient art and vigour to check it in its early advances. Jealous of regal, because conscious of little personal authority, he had established within his own mind a speculative system of absolute government, which few of his subjects, he believed, and none but traitors and rebels, would make any scruple to admit. On whichever side he cast his eye, everything concurred to encourage his prejudices. When he compared himself with the other hereditary sovereigns of Europe, he imagined that, as he bore the same rank, he was entitled to equal prerogatives; not considering the innovations lately introduced by them, and the military force by which their authority was supported. In England, that power, almost unlimited, which had been exercised for above a century, especially during the late reign, he ascribed solely to royal birth and title; not to the prudence and spirit of the monarchs nor to the conjunctures of the times. Even the opposition which he had struggled with in Scotland encouraged him still farther in his favourite notions; while he there saw, that the same resistance which opposed regal authority, violated all law and order, and made way either for the ravages of a barbarous nobility, or for the more intolerable insolence of seditious preachers. In his own person, therefore, he thought all legal power to be centered, by an hereditary and a divine right; and this opinion might have proved dangerous, if not fatal, to liberty, had not the firmness of the persuasion, and its seeming evidence, induced him to trust solely to his right, without making the smallest provision, either of force or politics, in order to support it.

Such were the opposite dispositions of parliament and prince, at the commencement of the Scottish line; dispositions just beginning to exist and to appear in the parliament,¹ but thoroughly established and openly avowed on the part of the prince.

The spirit and judgment of the House of Commons appeared, not only in defence of their own privileges, but also in their endeavour, though at this time in vain, to free trade from those shackles, which the high exerted prerogative, and even, in this respect, the ill-judged tyranny of Elizabeth had imposed upon it.

¹ At that time, men of genius and of enlarged minds had adopted the principles of liberty, which were as yet, pretty much unknown to the generality of the people. Sir Matthew Hale has published a remonstrance against the king's conduct toward the parliament during this session. The remonstrance is drawn with great force of reasoning and spirit of liberty, and was the production of Sir Francis Bacon and Sir Edwin Sully, two men of the greatest parts and knowledge in England. It is drawn in the name of the commons; but as there is no hint of it in the journals, we must conclude either that the authors, sensible that the strain of the piece was much beyond the principles of the age, had not ventured to present it to the house, or that it had been, for that reason, rejected. The dignity and authority of the commons are strongly insisted upon in this remonstrance, and it is then said, that their submission to the ill-treatment which they received during the latter part of Elizabeth's reign, had proceeded from their tenderness towards her age and sex. But the authors are mistaken in these facts. For the house received and submitted to as bad treatment in the beginning and middle of that reign. The government was equally arbitrary in Mary's reign, in Edward's, in Henry the Eighth's and Seventh's. And the farther we go back into history, though there might be more of a certain irregular kind of liberty among the barons, the commons were still of less authority.

James had already, of his own accord, called in and annulled all the numerous patents for monopolies which had been granted by his predecessor, and which extremely fettered every species of domestic industry: but the exclusive companies still remained; another species of monopoly, by which almost all foreign trade, except that to France, was brought into the hands of a few rapacious engrossers, and all prospect of future improvement in commerce was for ever sacrificed to a little temporary advantage of the sovereign. These companies, though arbitrarily elected, had carried their privileges so far, that almost all the commerce of England was centered in London, and it appears, that the customs of that port amounted to 110,000*l.* a year, while those of all the kingdom beside yielded only seventeen thousand (*Journ.*, May 21, 1604). Nay, the whole trade of London was confined to about 200 citizens (*Id. ibid.*), who were easily enabled, by combining among themselves, to fix whatever price they pleased both to the exports and imports of the nation. The committee appointed to examine this enormous grievance,—one of the greatest which we read of in English story,—insist on it as a fact well known and avowed, however contrary to present received opinion, that shipping and seamen had sensibly decayed during all the preceding reign.¹ And though nothing be more common than complaints of the decay of trade even during the most flourishing periods, yet is this a consequence which might naturally result from such arbitrary establishments, at the time when the commerce of all the other nations of Europe, except that of Scotland, enjoyed full liberty and indulgence.

While the commons were thus attempting to give liberty to the trading part of the nation, they also endeavoured to free the landed property from the burthen of wardships (*Journ.*, June 1, 1604), and to remove those remains of the feudal tenures, under which the nation still laboured. A just regard was shown to the crown in the conduct of this affair; nor was the remedy sought for considered as a matter of right, but merely of grace and favour. The profit which the king reaped, both from wards and from respite of homage, was estimated; and it was intended to compound for these prerogatives by a secure and independent revenue. But after some debates in the house, and some conferences with the lords, the affair was found to contain more difficulties than could easily, at that time, be surmounted; and it was at then brought to any conclusion.

The same fate attended an attempt of a like nature, to free the nation from the burthen of purveyance. This prerogative had been much abused by the purveyors (*Ibid.*, April 30, 1604); and the commons showed some intention to offer the king fifty thousand pounds a year for the abolition of it.

Another affair of the utmost consequence was brought before the parliament, where the commons showed a greater spirit of independence than any true judgment of national interest. The union of the two kingdoms was zealously, and even impatiently urged by the king (*Ibid.*, April 21, May 1, 1604, *Parl. Hist.*, vol. v., p. 91). He justly

¹ A remonstrance from the Trinity House, in 1604, says, that in a little above twelve years, after 1588, the shipping and number of men in England decayed about a third. *Anglessey's Happy Future State of England*, p. 18, from Sir Julius Cæsar's collect. *Journ.*, May 21, 1604.

regarded it as the peculiar felicity of his reign, that he had terminated the bloody animosities of these hostile nations, and had reduced the whole island under one government, enjoying tranquillity within itself, and security from all foreign invasions. He hoped that, while his subjects of both kingdoms reflected on past disasters, besides regarding his person as infinitely precious, they would entertain the strongest desire of securing themselves against the return of like calamities, by a thorough union of laws, parliaments, and privileges. He considered not that this very reflection operated as yet in a contrary manner on men's prejudices, and kept alive that mutual hatred between the nations which had been carried to the greatest extremities, and required time to allay it. The more urgent the king appeared in promoting so useful a measure, the more backward was the English parliament in concurring with him; while they ascribed his excessive zeal to that partiality in favour of his ancient subjects, of which they thought that on other occasions they had reason to complain. Their complaisance for the king, therefore, carried them no farther than to appoint forty-four English to meet with thirty-one Scottish commissioners, in order to deliberate concerning the terms of a union; but without any power of making advances towards the establishment of it (Journ., June 7, 1604; Kennet, p. 673).

The same spirit of independence, and perhaps, not better judgment, appeared in the house of commons, when the question of supply was brought before them, by some members attached to the court. In vain was it urged that, though the king received a supply which had been voted to Elizabeth, and which had not been collected before her death, yet he found it burthened with a debt contracted by the queen, equal to the full amount of it; that peace was not thoroughly concluded with Spain, and that Ireland was still expensive to him; that on his journey from Scotland amidst such a concourse of people, and on that of the queen and royal family, he had expended considerable sums; and that, as the courtiers had looked for greater liberalities from the prince on his accession, and had imposed on his generous nature, so the prince, in his turn, would expect at the beginning, some mark of duty and attachment from his people, and some consideration of his necessities. No impression was made on the House of Commons by these topics; and the majority appeared fully determined to refuse all supply. The burthen of government, at that time, lay surprisingly light upon the people; and that very reason, which to us, at this distance, may seem a motive of generosity, was the real cause why the parliament was, on all occasions, so remarkably frugal and reserved. They were not, as yet, accustomed to open their purses in so liberal a manner as their successors, in order to supply the wants of their sovereign; and the smallest demand, however requisite, appeared in their eyes unreasonable and exorbitant. The commons seem almost to have been desirous of reducing the crown to still farther necessities, by their refusing a bill sent down to them by the lords, for entailing the crown lands for ever on the king's heirs and successors (Parl. Hist., vol. v., p. 108). The dissipation made by Elizabeth had probably taught James the necessity of this law, and shown them the advantage of refusing it.

In order to cover a disappointment with regard to supply, which might bear a bad construction both at home and abroad, James sent a message to the house (Journ., June 26, 1604), in which he told them, that he desired no supply, and he was very forward in refusing what was never offered him. Soon after (July 7th), he prorogued the parliament, not without discovering, in his speech, visible marks of dissatisfaction. Even so early in his reign, he saw reason to make public complaints of the restless and encroaching spirit of the puritanical party, and of the malevolence with which they endeavoured to inspire the commons. Nor were his complaints without foundation, or the puritans without interest, since the commons, now finding themselves free from the arbitrary government of Elizabeth, made application for a conference with the lords, and presented a petition to the king,—the purport of both which was to procure, in favour of the puritans, a relaxation of the ecclesiastical laws.¹ The use of the surplice, and of the cross in baptism, is there chiefly complained of; but the remedy seems to have been expected solely from the king's dispensing power (Parl. Hist., vol. v., pp. 98, 99, 100). In the papers which contain this application and petition, we may also see proofs of the violent animosity of the commons against the catholics, together with the intolerating spirit of that assembly.²

This summer the peace with Spain was (August 18th) finally concluded, and was signed by the Spanish ministers at London (Rymer, tom. xvi., p. 585, etc.). In the conferences previous to this treaty, the nations were found to have so few claims on each other, that, except on account of the support given by England to the Low Country provinces, the war might appear to have been continued more on account of personal animosity between Philip and Elizabeth, than any contrariety of political interests between their subjects. Some articles in the treaty, which seemed prejudicial to the Dutch commonwealth, were never executed by the king, and as the Spaniards made no complaints on that head, it appeared that, by secret agreement, the king had expressly reserved the power of sending assistance to the Hollanders.³ The constable of Castile came into England to ratify the peace; and, on the part of England, the Earl of Hertford was sent into the Low Countries for the same purpose, and the Earl of Nottingham, high admiral, into Spain. The train of the latter was numerous and splen-

¹ La Boderie, the French ambassador, says, that the house of commons was composed mostly of puritans,—vol. i., p. 81.

² This parliament passed an act of recognition of the king's title in the most ample terms. They recognised and acknowledged that, immediately upon the dissolution and decease of Elizabeth, late Queen of England, the imperial crown thereof did, by inherent birthright and lawful and undoubted succession, descend and come to his most excellent majesty, as being lineally, justly, and lawfully next and sole heir of the blood royal of this realm. 1 James I., cap. 1. The Puritans, though then prevalent, did not think proper to dispute this great constitutional point. In the recognition of Queen Elizabeth, the parliament declares that the queen's highness is, and in very deed and of most mere right ought to be, by the laws of God, and by the laws and statutes of this realm, our most lawful and rightful sovereign liege lady and queen, etc. It appears then, that if King James's *divine right* be not mentioned by parliament, the omission came merely from chance, and because that phrase did not occur to the compiler of the recognition, his title being plainly the same with that of his predecessor, who was allowed to have a *divine right*.

³ Winwood, vol. ii., pp. 27, 330 *et alibi*. In this respect James's peace was more honourable than that which Henry IV. himself made with Spain. This latter prince stipulated not as 1st the Dutch, and the supplies which he secretly sent them were in direct contravention to the treaty.

did, and the Spaniards, it is said, were extremely surprised, when they beheld the blooming countenances and graceful appearance of the English, whom their bigotry, inflamed by the priests, had represented as so many monsters and infernal demons.

Though England, by means of her naval force, was perfectly secure during the latter years of the Spanish war, James showed an impatience to put an end to hostilities; and, soon after his accession, before any terms of peace were conceived or even proposed by Spain, he recalled all the letters of marque (June 23rd, 1603), which had been granted by Queen Elizabeth. Archduke Albert had made some advances of a like nature (Grotii Annal. lib. 12), which invited the king to take this friendly step. But what is remarkable,—in James's proclamation for that purpose, he plainly supposes that, as he had himself, while King of Scotland, always lived in amity with Spain, peace was attached to his person, and that merely by his accession to the crown of England, without any articles of treaty or agreement, he had ended the war between the kingdoms.¹ This ignorance of the law of nations may appear surprising in a prince who was thirty-six years of age, and who had reigned from his infancy, did we not consider that a king of Scotland, who lives in close friendship with England, has few transactions to manage with foreign princes, and has little opportunity of acquiring experience. Unhappily for James, his timidity, his prejudices, his indolence, his love of amusement,—particularly of hunting, to which he was much addicted,—ever prevented him from making any progress in the knowledge or practice of foreign politics, and in a little time diminished that regard which all the neighbouring nations had paid to England during the reign of his predecessor.²

CHAPTER XLVI.

Gunpowder conspiracy.—A parliament.—Treaty between Spain and the United Provinces.—A parliament.—Death of the French king.—Arminianism.—State of Ireland.

WE are now to relate an event, one of the most memorable that history has conveyed to posterity, and containing at once a singular proof both of the strength and weakness of the human mind; its widest departure from morals, and most steady attachment to religious prejudices. 'Tis the *Gunpowder Treason* of which I speak, a fact as certain as it appears incredible.

The Roman Catholics had expected great favour and indulgence on the accession of James, both as he was descended from Mary, whose life they believed to have been sacrificed to their cause, and as he himself, in his early youth, was imagined to have shown some partiality towards them, which nothing, they thought, but interest and necessity had since restrained. It is pretended, that he had even entered into positive engagements to tolerate their religion, as soon as he

¹ See proclamations during the first seven years of King James. Winwood, vol. ii, p. 65.

² Mem. de la Boderie, vol. i., pp. 64, 121, 195, 217, 302, vol. ii., pp. 244, 278.

should mount the throne of England; whether their credulity had interpreted in this sense some obliging expressions of the king's, or that he had employed such an artifice in order to render them favourable to his title,¹ very soon they discovered their mistake; and were at once surprised and enraged to find James, on all occasions, express his intention of strictly executing the laws enacted against them, and of persevering in all the rigorous measures of Elizabeth. Catesby, a gentleman of good parts and of an ancient family, first thought of a most extraordinary method of revenge, and he opened his intention to Percy, a descendant of the illustrious house of Northumberland. In one of their conversations with regard to the distressed condition of the catholics, Percy having broken into a sally of passion, and mentioned assassinating the king, Catesby took the opportunity of revealing to him a nobler and more extensive plan of treason, which not only included a sure execution of vengeance, but afforded some hopes of restoring the catholic religion in England. 'In vain,' said he, 'would you put an end to the king's life—he has children who would succeed both to his crown and to his maxims of government. In vain would you extinguish the whole royal family: the nobility, the gentry, the parliament, are all infected with the same heresy, and could raise to the throne another prince and another family, who, besides their hatred to our religion, would be animated with revenge for the tragical death of their predecessors. To serve any good purpose, we must destroy at one blow, the king, the royal family, the lords, the commons; and bury all our enemies in one common ruin. Happily, they are all assembled on the first meeting of the parliament; and afford us the opportunity of glorious and useful vengeance. Great preparations will not be requisite. A few of us combining, may run a mine below the hall in which they meet; and, choosing the very moment when the king harangues both houses, consign over to destruction these determined foes to all piety and religion. Meanwhile, we ourselves standing aloof, safe and unsuspected, shall triumph in being the instruments of Divine wrath, and shall behold with pleasure those sacrilegious walls, in which were passed the edicts for proscribing our Church and butcher- ing her children, tossed into a thousand fragments; while their impious inhabitants, meditating, perhaps, still new persecutions against us, pass from flames above to flames below, there for ever to endure the torments due to their offences' (Hist of the Gunpowder Treason).

Percy was charmed with this project of Catesby; and they agreed to communicate the matter to a few more, and among the rest to Thomas Winter, whom they sent over to Flanders in quest of Fawkes, an officer in the Spanish service, with whose zeal and courage they were all thoroughly acquainted. When they enlisted any new conspirator, in order to bind him to secrecy, they always, together with an oath, employed the communion, the most sacred rite of their religion (State Trials, vol. 1., pp. 190, 198, 210). And it is remarkable that no one of these pious devotees ever entertained the least compunction with regard to the cruel massacre which they projected of whatever was great and eminent in the nation. Some of them only were startled by the reflection, that of necessity many catholics must be present, as

¹ State Trials, vol. 1., pp. 201, 202, 203, Winwood, vol. 11, p. 49.

spectators or attendants on the king, or as having seats in the house of peers; but Tesmond, a jesuit, and Gaiet, superior of that order in England, removed these scruples, and showed them how the interests of religion required that the innocent should here be sacrificed with the guilty.

All this passed in the spring and summer of the year 1604, when the conspirators also hired a house in Percy's name, adjoining that in which the parliament was to assemble. Towards the end of that year they began their operations. That they might be less interrupted, and give less suspicion to the neighbourhood, they carried in a store of provisions with them, and never desisted from their labour. Obstinate in their purpose, and confirmed by passion, by principle, and by mutual exhortation, they little feared death in comparison of a disappointment; and, having provided arms, together with the instruments of their labour, they resolved there to perish in case of a discovery. Their perseverance advanced the work; and they soon pierced the wall, though three yards in thickness; but on approaching the other side, they were somewhat startled at hearing a noise, which they knew not how to account for. Upon inquiry, they found that it came from the vault below the house of lords; that a magazine of coals had been kept there; and that, as the coals were selling off, the vault would be let to the highest bidder. The opportunity was immediately seized; the place hired by Percy; thirty-six barrels of powder lodged in it; the whole covered up with faggots and billets; the doors of the cellar boldly flung open, and everybody admitted, as if it contained nothing dangerous.

Confident of success, they now began to look forward, and to plan the remaining part of their project. The king, the queen, Prince Henry, were all expected to be present at the opening of parliament. The duke, by reason of his tender age, would be absent; and it was resolved that Percy should seize him or assassinate him. The Princess Elizabeth, a child likewise, was kept at Lord Harrington's house at Warwickshire; and Sir Everard Digby, Rookwood, Grant, being let into the conspiracy, engaged to assemble their friends on pretence of a hunting match, and seizing that princess, immediately to proclaim her queen. So transported were they with rage against their adversaries, and so charmed with the prospect of revenge, that they forgot all care of their own safety; and trusting to the general confusion which must result from so unexpected a blow, they foresaw not that the fury of the people, now unrestrained by any authority, must have turned against them, and would probably have satiated itself by an universal massacre of the catholics.

The day, so long wished for, now approached on which the parliament was appointed to assemble. The dreadful secret, though communicated to above twenty persons, had been religiously kept during the space of near a year and a half. No remorse, no pity, no fear of punishment, no hope of reward, had as yet induced any one conspirator, either to abandon the enterprise, or make a discovery of it. The holy fury had extinguished in their breast every other motive; and it was an indiscretion at last, proceeding chiefly from these very bigoted prejudices and partialities, which saved the nation.

Ten days before the meeting of parliament, Lord Montecagle, a catholic, son to Lord Moiley, received the following letter, which had been delivered to his servant by an unknown hand.—‘My lord, out of the love I bear to some of your friends, I have a care of your preservation. Therefore I would advise you, as you tender your life, to devise some excuse to shift off your attendance at this parliament. For God and man have concurred to punish the wickedness of this time. And think not slightly of this advertisement; but retire yourself into your country, where you may expect the event in safety. For though there be no appearance of any stir, yet, I say, they will receive a terrible blow this parliament, and yet they shall not see who hurts them. This counsel is not to be contemned, because it may do you good, and can do you no harm, for the danger is past as soon as you have burned the letter. And I hope God will give you the grace to make good use of it, unto whose holy protection I commend you’ (K. James’s Works, p. 227).

Montecagle knew not what to make of this letter; and though inclined to think it a foolish attempt to frighten and ridicule him, he judged it safest to carry it to Lord Salisbury, secretary of state. Though Salisbury, too, was inclined to pay little attention to it, he thought proper to lay it before the king, who came to town a few days after. To the king it appeared not so light a matter; and from the serious, earnest style of the letter, he conjectured that it implied something dangerous and important. A terrible blow, and yet the authors concealed, a danger so sudden, and yet so great; these circumstances seemed all to denote some contrivance by gunpowder; and it was thought advisable to inspect all the vaults below the houses of parliament. This care belonged to the Earl of Suffolk, lord chamberlain, who purposely delayed the search till the day before the meeting of parliament. He remarked those great piles of wood and faggots, which lay in the vault under the upper house; and he cast his eye upon Fawkes, who stood in a dark corner, and passed himself for Percy’s servant. That daring and determined courage, which so much distinguished this conspirator, even among those heroes in villainy, was fully painted in his countenance, and was not passed unnoticed by the chamberlain (*Ibid.*, p. 229). Such a quantity also of fuel for the use of one who lived so little in town as Percy appeared a little extraordinary (*Id. Ibid.*); and upon comparing all circumstances, it was resolved that a more thorough inspection should be made. About midnight, Sir Thomas Knevet, a justice of the peace, was sent with proper attendants, and before the door of the vault, finding Fawkes, who had just finished all his preparations, he immediately seized him, and turning over the faggots, discovered the powder. The matches and everything proper for setting fire to the train were taken in Fawkes’s pocket; who, finding his guilt now apparent, and seeing no refuge but in boldness and despair, expressed the utmost regret that he had lost the opportunity of firing the powder at once, and of sweetening his own death by that of his enemies (*Ibid.*, p. 230). Before the council he displayed the same intrepid firmness, mixed even with scorn and disdain, refusing to discover his accomplices, and showing no concern but for the failure of the enterprise (*Winwood*, vol. ii., p. 173).

This obstinacy lasted two or three days; but being confined to the Tower, left to reflect on his guilt and danger, and the rack being just shown to him, his courage, fatigued with so long an effort, and unsupported by hope or society, at last failed him; and he made a full discovery of all the conspirators (*K. James's Works*, p. 231).

Catesby, Percy, and the other criminals, who were in London, though they had heard of the alarm taken at a letter sent to Monteagle, though they had heard of the chamberlain's search, yet were resolved to persist to the utmost, and never abandon their hopes of success.¹ But at last, hearing that Fawkes was arrested, they hurried down to Warwickshire; where Sir Everard Digby, thinking himself assured that success had attended his confederates, was already in arms, in order to seize the Princess Elizabeth. She had escaped into Coventry; and they were obliged to put themselves on their defence against the country, who were raised from all quarters, and armed by the sheriff. The conspirators with all their attendants, never exceeded the number of eighty persons; and being surrounded on every side, could no longer entertain hopes either of prevailing or escaping. Having therefore confessed themselves, and received absolution, they boldly prepared for death, and resolved to sell their lives as dear as possible to the assailants. But even this miserable consolation was denied them. Some of their powder took fire, and disabled them for defence.² The people rushed in upon them. Percy and Catesby were killed by one shot. Digby, Rookwood, Winter, and others, being taken prisoners, were tried, confessed their guilt, and died, as well as Ganet, by the hands of the executioner. Notwithstanding this horrid crime, the bigoted catholics were so devoted to Ganet, that they fancied miracles to be wrought by his blood (*Winwood*, vol. ii., p. 300); and in Spain he was regarded as a martyr (*Id.*, *Ibid.*).

Neither had the desperate fortune of the conspirators urged them to this enterprise, nor had the former profligacy of their lives prepared them for so great a crime. Before that audacious attempt, their conduct seems in general to be liable to no reproach. Catesby's character had entitled him to such regard, that Rookwood and Digby were seduced by their implicit trust in his judgment, and they declared that from the motive alone of friendship to him, they were ready on any occasion to have sacrificed their lives (*State Trials*, vol. i., p. 201). Digby himself was as highly esteemed and beloved as any man in England, and he had been particularly honoured with the good opinion of Queen Elizabeth (*Athen. Ox.*, vol. ii., fol. 254). It was bigoted zeal alone, the most absurd of prejudices masked with reason, the most criminal of passions covered with the appearance of duty, - which

¹ Some historians have imagined, that the king had secret intelligence of the conspiracy, and that the letter to Monteagle was written by his direction, in order to obtain the praise of penetration in discovering the plot. But the known facts refute this supposition. That letter, being commonly talked of, might naturally have given an alarm to the conspirators, and made them contrive their escape. The visit of the lord chamberlain ought to have had the same effect. In short, it appears, that nobody was arrested or inquired after, for some days, till Fawkes discovered the names of the conspirators. We may infer, however, from a letter in *Winwood's Memorials*, vol. ii., p. 171, that Salisbury's signify led the king in his conjectures; and that the minister, like an artful courtier, gave his master the praise of the whole discovery.

² *State Trial*, vol. i., p. 199, *Discourse of the Manner*, etc., pp. 69, 70.

22 *Punishment of the Conspirators. Leniency of James.*

seduced them into measures that were fatal to themselves, and had so nearly proved fatal to their country.¹

The Lords Mordaunt and Stoughton, two catholics, were fined, the former 10,000*l.*, the latter, 4000*l.*, by the Star-chamber, because their absence from parliament had begotten a suspicion of their being acquainted with the conspiracy. The Earl of Northumberland was fined 30,000*l.*, and detained several years prisoner in the Tower, because, not to mention other grounds of suspicion, he had admitted Percy into the number of gentlemen pensioners, without his taking the requisite oaths (Camden in Kennet, p. 692).

The king in his speech to the parliament observed that though religion had engaged the conspirators in so criminal an attempt, yet ought we not to involve all the Roman Catholics in the same guilt, or suppose them equally disposed to commit such enormous barbarities. 'Many holy men,' he said, 'and our ancestors among the rest, had been seduced to concur with that Church in her scholastic doctrines, who yet had never admitted her seditious principles concerning the pope's power of dethroning kings or sanctifying assassination. The wrath of Heaven is denounced against crimes, but innocent error may obtain its favour, and nothing can be more hateful than the uncharitableness of the puritans, who condemn alike to eternal torments, even the most inoffensive partisans of popery. For his part,' he added, 'that conspiracy, however atrocious, should never alter in the least his plan of government; while with one hand he punished guilt, with the other he would still support and protect innocence' (K. James's Works, pp 503, 504). After this speech he prorogued the parliament till the 22nd of January.²

The moderation, and, I may say, magnanimity, of the king, immediately after so narrow an escape from a most detestable conspiracy, was nowise agreeable to his subjects. Their animosity against popery, even before this provocation, had risen to a great pitch, and it had perhaps been more prudent in James, by a little dissimulation, to have conformed himself to it. His theological learning, confirmed by disputation, had happily fixed his judgment in the protestant faith, yet was his heart a little biassed by the alluements of Rome, and he had been well pleased if the making of some advances could have effected an union with that ancient mother-church. He strove to abate the acrimony of his own subjects against the religion of their fathers, he became himself the object of their diffidence and aversion. Whatever measures he embraced, in Scotland to introduce popery, in England to enforce the authority of the Established Church, and support its rites and ceremonies, were interpreted as so many steps towards popery, and were represented by the puritans as symptoms of idolatry and superstition. Ignorant of the consequences, or unwilling to sacrifice

¹ Digby, after his condemnation, said in a letter to his wife: 'Now for my intention, let me tell you, that if I had thought there had been the least sin in the plot, I would not have been of it for all the world, and no other cause drew me to hazard my fortune and life, but zeal to God's religion.' He expresses his surprise to hear that any catholics had condemned it. Digby's Papers, published by Secretory Coventry.

² The parliament, this session, passed an act obliging everyone to take the oath of allegiance; a very moderate text, since it decided no controverted points between the two religions, and only engaged the persons who took it to abjure the pope's power of dethroning kings. K. James's Works, p. 250.

to politics his inclination, which he called his conscience, he persevered in the same measures, and gave trust and preference almost indifferently to his catholic and protestant subjects. And finding his person, as well as his title, less obnoxious to the Church of Rome than those of Elizabeth, he gradually abated the rigour of those laws which had been enacted against that church, and which were so acceptable to his bigoted subjects. But the effects of these dispositions on both sides became not very sensible till towards the conclusion of his reign.

At this time James seems to have possessed the affections even of his English subjects, and in a tolerable degree their esteem and regard. Hitherto their complaints were chiefly levelled against his too great constancy in his early friendships,—a quality which, had it been attended with more economy, the wise would have excused, and the candid would even perhaps have applauded. His parts, which were not despicable, and his learning which was great, being highly extolled by his courtiers and gownmen, and not yet tried in the management of any delicate affairs, for which he was unfit, raised a high idea of him in the world, nor was it always through flattery or insincerity that he received the title of the second Solomon. A report which was suddenly spread, about this time, of his being assassinated, visibly struck a great consternation into all orders of men (Kennet, p. 676). The commons also abated, this session, somewhat of their excessive frugality, and granted him an aid payable in four years, of three subsidies and six fifteenths, which Sir Francis Bacon said in the house (Journ., May 20th, 1606), might amount to about 400,000*l.*; and for once the king and parliament parted in friendship and good humour. The hatred which the catholics so visibly bore him, gave him at this time an additional value in the eyes of his people. The only considerable point in which the commons incurred his displeasure, was by discovering their constant good-will to the puritans, in whose favour they desired a conference with the lords (Ibid., April 5th, 1606); which was rejected.

The chief affair transacted next session (Nov. 18) was the intended union of the two kingdoms (Kennet, p. 676). Nothing could exceed the king's passion and zeal for this noble enterprise, but the parliament's prejudice and reluctance against it. There remain two excellent speeches in favour of the union, which it would not be improper to compare together. that of the king (K. James's Works, p. 509), and that of Sir Francis Bacon. Those who affect in everything such an extreme contempt for James, will be surprised to find that his discourse, both for good reasoning and eloquent composition, approaches very near that of a man who was undoubtedly at that time one of the greatest geniuses in Europe. A few trivial indiscretions and indecorums may be said to characterise the harangue of the monarch, and mark it for his own. And in general, so open and avowed a declaration in favour of a measure, while he had taken no care by any precaution or intrigue to ensure success, may safely be pronounced an indiscretion. But the art of managing parliaments by private interest or cabal, being found hitherto of little use or necessity, had not as yet become a part of English politics. In the common course of affairs, government could be conducted without their assistance, and when

their concurrence became necessary to the measures of the crown, it was generally speaking, except in times of great faction and discontent, obtained without much difficulty.

The king's influence seems to have rendered the Scottish parliament cordial in all the steps which they took towards the union. Though the advantages which Scotland might hope from that measure were more considerable, yet were the objections too, with regard to that kingdom, more striking and obvious. The benefit which must have resulted to England, both by accession of strength and security, was not despicable, and as the English were by far the greater nation, and possessed the seat of government, the objections, either from the point of honour or from jealousy, could not reasonably have any place among them. The English parliament, indeed, seem to have been swayed merely by the vulgar motive of national antipathy. And they persisted so obstinately in their prejudices, that all the efforts for a thorough union and incorporation ended only in the abolition of the hostile laws formerly enacted between the kingdoms.¹

Some precipitate steps which the king, a little after his accession, had taken, in order to promote his favourite project, had been here observed to do more injury than service. From his own authority he had assumed the title of King of Great Britain, and had quartered the arms of Scotland with those of England, in all coins, flags, and ensigns. He had also engaged the judges to make a declaration, that all those who, after the union of the crowns, should be born in either kingdom, were for that reason alone naturalized in both. This was a nice question, and according to the ideas of those times, susceptible of subtle reasoning on both sides. The king was the same; the parliaments were different. To render the people therefore the same, we must suppose that the sovereign authority resided chiefly in the prince, and that these popular assemblies were rather instituted to assist with money and advice, than endowed with any controlling or active powers in the government. 'It is evident,' says Bacon in his pleadings on this subject, 'that all other commonwealths, monarchies only excepted, do subsist by a law precedent. For where authority is divided amongst many officers,—and they not perpetual, but annual or temporary, and not to receive their authority but by election, and certain persons to have voices only in that election, and the like, these are busy and curious frames, which of necessity do presuppose a law precedent, written or unwritten, to guide and direct them; but in monarchies, especially hereditary, that is when several families, or lineages of people do submit themselves to one line, imperial or royal,—the submission is more natural and simple, which afterwards by law subsequent is perfected, and made more formal; but that is grounded upon nature' (Bacon's Works, vol. iv., pp. 190, 191, edit. 1730). It would seem from this reasoning, that the idea of a hereditary, limited monarchy, though implicitly supposed in many public transac-

¹ The commons were even so averse to the union, that they had complained in the former session to the lords, of the Bishop of Bristol, for writing a book in favour of it; and the prelate was obliged to make submissions for this offence. The crime imputed to him seems to have consisted in his treating of a subject which lay before the parliament. So little notion had they as yet of general liberty! *Parl Hist*, vol. v. pp. 108, 109, 110.

tions, had scarcely ever, as yet, been expressly formed by any English lawyer or politician.

Except the obstinacy of the parliament with regard to the union, and an attempt on the king's ecclesiastical jurisdiction (Journ. Dec. 2, Mar. 5, 1606, June 25, 26, 1607), most of their measures, during this session, were sufficiently respectful and obliging; though they still discover a vigilant spirit, and a careful attention toward national liberty. The votes also of the commons, show that the house contained a mixture of puritans, who had acquired great authority among them (Ibid., Feb. 26, March 4, 7, 1606, May 2, June 17, 1607), and who, together with religious prejudices, were continually suggesting ideas, more suitable to a popular than a monarchical form of government. The natural appetite for rule made the commons lend a willing ear to every doctrine which tended to augment their own power and influence.

A petition was moved in the lower house for a more rigorous execution of the laws against popish recusants, and an abatement towards protestant clergymen, who scrupled to observe the ceremonies. Both these points were equally unacceptable to the king; and he sent orders to the house to proceed no further in that matter. The commons were inclined, at first, to consider these orders as a breach of privilege; but they soon acquiesced, when told that this measure of the king's was supported by many precedents during the reign of Elizabeth (Ibid., June 16, 17, 1607). Had they been always disposed to make the precedents of that reign the rule of their conduct, they needed never have had any quarrel with any of their monarchs.

The complaints of Spanish depredations were very loud among the English merchants (Ibid., Feb. 25, 1606). The lower house sent (June 5) a message to the lords, desiring a conference with them, in order to their presenting a joint petition to the king on the subject. The lords took some time to deliberate on this message; because, they said, the matter was weighty and rare. It probably occurred to them at first, that the parliament's interposing in affairs of state would appear unusual and extraordinary. And, to show that in this sentiment they were not guided by court influence, after they had deliberated, they agreed to the conference.

The house of commons began now to feel themselves of such importance, that on the motion of Sir Edwin Sandys, a member of great authority, they entered, for the first time, an order for the regular keeping of their journals (Ibid., July 3, 1607). When all business was finished, the king prorogued the parliament.

About this time (July 4), there was an insurrection of the country people in Northamptonshire, headed by one Reynolds, a man of low condition. They went about destroying inclosures, but carefully avoided committing any other outrage. This insurrection was easily suppressed, and though great lenity was used towards the rioters, yet were some of the ringleaders punished. The chief cause of that trivial commotion seems to have been, of itself, far from trivial. The practice still continued in England, of disusing tillage, and throwing the land into inclosures for the sake of pasture. By this means the kingdom was depopulated—at least prevented from increasing so much in people as might have been expected from the daily increase of industry and commerce.

Next year (A.D. 1608) presents us with nothing memorable; but in the spring of the subsequent, after a long negotiation, was concluded, by a truce of twelve years, that war, which for near half a century had been carried on with such fury between Spain and the States of the United Provinces. Never contest seemed, at first, more unequal: never contest was (A.D. 1609) finished with more honour to the weaker party. On the side of Spain were numbers, riches, authority, discipline: on the side of the revolted provinces were found the attachment to liberty and the enthusiasm of religion. By her naval enterprises the republic maintained her armies; and, joining peaceful industry to military valour, she was enabled, by her own force, to support herself, and gradually rely less on those neighbouring princes, who, from jealousy to Spain, were at first prompted to encourage her revolt. Long had the pride of that monarchy prevailed over her interest, and prevented her from hearkening to any terms of accommodation with her rebellious subjects. But finding all intercourse cut off between her provinces by the maritime force of the states, she at last agreed to treat with them as a free people, and solemnly to renounce all claim and pretension to their sovereignty.

This chief point being gained, the treaty was (Mar. 30), easily brought to a conclusion, under the joint mediation and guarantee of France and England. All exterior appearances of honour were paid equally to both crowns, but very different were the sentiments which the states, as well as all Europe, entertained of the princes who wore them. Frugality and vigour, the chief circumstances which procure regard among foreign nations, shone out as conspicuously in Henry as they were deficient in James. To a contempt of the English monarch, Henry seems to have added a considerable degree of jealousy and aversion, which were sentiments altogether without foundation. James was just and fair in all transactions with his allies,¹ but it appears from the memoirs of those times, that each side deemed him partial towards their adversary, and fancied that he had entered into secret measures against them (Winwood, and Jeanin, *passim*). So little equity have men in their judgments of their own affairs; and so dangerous is that entire neutrality affected by the king of England!

The little concern which James took in foreign affairs, renders the domestic occurrences, particularly those of parliament, the most interesting of his reign. A new session was (A.D. 1610, Feb. 9) held this spring the king full of hopes of receiving supply; the commons, of circumscribing his prerogative. The Earl of Salisbury, now created treasurer on the death of the Earl of Dorset, laid open the king's necessities, first to the peers, then to a committee of the lower house (Journ., Feb. 17, 1609. Kennet, p. 681). He insisted on the unavoidable expense incurred in supporting the navy, and in suppressing a late insurrection in Ireland. he mentioned three numerous courts which the

¹ The plan of accommodation which James recommended is found in Winwood, vol. ii., pp. 429, 430, and is the same that was recommended by Henry, as we learn from Jeanin, tom. ii., pp. 426, 427. It had long been imagined by historians, from Jeanin's authority, that James had declared to the court of Spain, that he would not support the Dutch in their pretensions to liberty and independence. But it has since been discovered by Winwood's Mem., vol. ii., pp. 456, 466, 469, 475, 476, that that report was founded on a lie of President Richar'do's.

king was obliged to maintain, for himself, for the queen, and for the Prince of Wales: he observed, that Queen Elizabeth, though a single woman, had received very large supplies in the years preceding her death, which alone were expensive to her: and he remarked, that, during her reign, she had alienated many of the crown lands; an expedient which, though it supplied her present necessities, without laying burdens on her people, extremely multiplied the necessities of her successor. From all these causes he thought it nowise strange, that the king's income should fall short so great a sum as eighty-one thousand pounds of his stated and regular expense; without mentioning contingencies, which ought always to be esteemed a fourth of the yearly charges. And, as the crown was now (Mar. 21) necessarily burdened with a great and urgent debt of 300,000*l*, he thence inferred the absolute necessity of an immediate and large supply from the people. To all these reasons, which James likewise urged in a speech addressed to both houses, the commons remained inexorable. But, not to shock the king with an absolute refusal, they granted him one subsidy and one fifteenth; which would scarcely amount to a hundred thousand pounds. And James received the mortification of discovering in vain all his wants, and of begging aid of subjects who had no reasonable indulgence or consideration for him.

Among the many causes of disgust and quarrel which now daily and unavoidably multiplied between prince and parliament, this article of money is to be regarded as none of the least considerable. After the discovery and conquest of the West Indies, gold and silver became every day more plentiful in England, as well as in the rest of Europe; and the price of all commodities and provisions rose to a height beyond what had been known since the declension of the Roman empire. As the revenue of the crown rose not in proportion,¹ the prince was insensibly reduced to poverty amidst the general riches of his subjects, and required additional funds, in order to support the same magnificence and force which had been maintained by former monarchs. But, while money thus flowed into England, we may observe, that, at the same time, and probably from that very cause, arts and industry of all kinds received a mighty increase; and elegance in every enjoyment of life became better known and more cultivated among all ranks of people. The king's servants, both civil and military, his courtiers, his ministers, demanded more ample supplies from the impoverished prince, and were not contented with the same simplicity of living which had satisfied their ancestors. The prince himself began to regard an increase of pomp and splendour as requisite to support the dignity of his character, and to preserve the same superiority above his subjects which his predecessors had enjoyed. Some equality too, and proportion to the other sovereigns of Europe, it was natural for him to desire; and as they had universally enlarged their revenue, and multiplied their taxes, the King of England deemed it reasonable, that his subjects, who were generally as rich as theirs, should bear with patience some additional burdens and impositions.

¹ Besides the great alienation of the crown lands, the fee-farm rents never increased, and the other lands were let on long leases, and at a great undervalue,—little or nothing above the old rent.

Unhappily for the king, those very riches, with the increasing knowledge of the age, bred opposite sentiments in his subjects; and begetting a spirit of freedom and independence, disposed them to pay little regard, either to the entreaties or menaces of their sovereign. While the barons possessed their former immense property and extensive jurisdictions, they were apt, at every disgust, to endanger the monarch, and throw the whole government into confusion; but this confusion often, in its turn, proved favourable to the monarch, and made the nation again submit to him, in order to re-establish justice and tranquillity. After the power of alienations, as well as the increase of commerce, had thrown the balance of property into the hands of the commons, the situation of affairs, and the dispositions of men became susceptible of a more regular plan of liberty, and the laws were not supported singly by the authority of the sovereign. And though in that interval, after the decline of the peers, and before the people had yet experienced their force, the princes assumed an exorbitant power, and had almost annihilated the constitution under the weight of their prerogative, as soon as the commons recovered from their lethargy, they seem to have been astonished at the danger, and were resolved to secure liberty by firmer barriers than their ancestors had hitherto provided for it.

Had James possessed a very rigid frugality, he might have warded off this crisis somewhat longer, and waiting patiently for a favourable opportunity to increase and fix his revenue, might have secured the extensive authority transmitted to him. On the other hand, had the commons been inclined to act with more generosity and kindness towards their prince, they might probably have turned his necessities to good account, and have bribed him to depart peaceably from the more dangerous articles of his prerogative. But he was a foreigner, and ignorant of the arts of popularity, they were soured by religious prejudices, and tenacious of their money, and in this situation it is no wonder, that, during this whole reign, we scarcely find an interval of mutual confidence and friendship between prince and parliament.

The king, by his prerogative alone, had, some years before, altered the rates of the customs, and had established higher impositions on several kinds of merchandise. This exercise of power will naturally, to us, appear arbitrary and illegal; yet, according to the principles and practices of that time, it might admit of some apology. The duties of tonnage and poundage were at first granted to the crown by a vote of parliament, and for a limited time, and as the grant frequently expired and was renewed, there could not then arise any doubt concerning the origin of the king's right to levy these duties; and this imposition, like all others, was plainly derived from the voluntary consent of the people. But as Henry V., and all the succeeding sovereigns, had the revenue conferred on them for life, the prince, so long in possession of these duties, began gradually to consider them as his own proper right and inheritance, and regarded the vote of parliament as a mere formality, which rather expressed the acquiescence of the people in his prerogative, than bestowed any new gift or revenue upon him.

The parliament, when it first granted poundage to the crown, had fixed no particular rates. The imposition was given as a shilling a

pound, or five per cent. on all commodities. It was left to the king himself, and the privy council, aided by the advice of such merchants as they should think proper to consult, to fix the value of goods, and thereby the rates of the customs. and as that value had been settled before the discovery of the West Indies, it was become much inferior to the prices which almost all commodities bore in every market in Europe, and consequently, the custom on many goods, though supposed to be five per cent. was in reality much inferior. The king, therefore, was naturally led to think, that rates, which were now plainly false, ought to be corrected (Winwood, vol. ii., p. 438); that a valuation of commodities, fixed by one act of the privy council, might be amended by another; that if his right to poundage were inherent in the crown, he should also possess, of himself, the right of correcting its inequalities, if this duty were granted by the people, he should at least support the spirit of the law, by fixing a new and a juster valuation of all commodities. But besides this reasoning, which seems plausible, if not solid, the king was supported in that act of power by direct precedents, some in the reign of Mary, some in the beginning of Elizabeth.¹ Both these princesses had, without consent of parliament, altered the rates of commodities; and as their impositions had all along been submitted to without a murmur, and still continued to be levied, the king had no reason to apprehend, that a farther exertion of the same authority would give any occasion of complaint. That less umbrage might be taken, he was moderate in the new rates which he established. The customs during his whole reign, rose only from 127,000*l.* a year to 190,000*l.*; though, besides the increase of the rates, there was a sensible increase of commerce and industry during that period. Every commodity besides, which might serve to the subsistence of the people, or might be considered as a material of manufactures, was exempted from the new impositions of James (Davis's question concerning impositions). But all this caution could not prevent the complaints of the commons. A spirit of liberty had now taken possession of the house. The leading members,—men of an independent genius and large views,—began to regulate their opinions, more by the future consequences which they foresaw, than by the former precedents which were set before them; and they less aspired at maintaining the ancient constitution, than at establishing a new one, and a free, and a better. In their remonstrances to the king on this occasion, they observed it to be a general opinion, 'That the reasons of that practice might be extended much further, even to the utter ruin of the ancient liberty of the kingdom, and the subjects' right of property in their lands and goods' (Journ. May 23^d, 1610). Though expressly forbidden by the king to touch his prerogative, they passed a bill abolishing these impositions; which was rejected by the House of Lords.

In another address to the king, they objected to the practice of borrowing upon privy seals, and desired that the subjects should not be forced to lend money to his majesty, nor give a reason for their refusal. Some murmurs, likewise, were thrown out in the house against a new monopoly of the licence of wines (Parl. Hist., vol. v., p. 241).

¹ Journ., April 18th, May 5th and 10th, 1614, etc., Feb. 20th, 1625. Also Sir John Davis's question concerning impositions, pp. 127, 128.

It must be confessed, that forced loans and monopolies were established on many and ancient, as well as recent precedents; though diametrically opposite to all the principles of a free government.¹

The house likewise discovered some discontent against the king's proclamations. James told them, 'That though he well knew, by the constitution and policy of the kingdom, that proclamations were not of equal force with laws; yet he thought it a duty incumbent on him, and a power inseparably annexed to the crown, to restrain and prevent such mischiefs and inconveniences as he saw growing on the state, against which no certain law was extant, and which might tend to the great detriment of the subject, if there should be no remedy provided till the meeting of a parliament. And this prerogative,' he adds, 'our progenitors have, in all times, used and enjoyed' (Parl. Hist., vol. v., p. 250). The intervals between sessions, we may observe, were frequently so long as to render it necessary for a prince to interpose by his prerogative. The legality of this exertion was established by uniform and undisputed practice; and was even acknowledged by lawyers; who made, however, this difference between laws and proclamations,—that the authority of the former was perpetual, that of the latter expired with the sovereign who emitted them (Journ., May 12, 1624). But what the authority could be which bound the subject, yet was different from the authority of laws, and inferior to it, seems inexplicable by any maxims of reason or politics. And in this instance, as in many others, it is easy to see how inaccurate the English constitution was before the parliament was enabled, by continued acquisitions, or encroachments, to establish it on fixed principles of liberty.

Upon the settlement of the reformation, that extensive branch of power which regards ecclesiastical matters being then without an owner, seemed to belong to the first occupant, and Henry VIII. failed not immediately to seize it, and to exert it even to the utmost degree of tyranny. The possession of it was continued with Edward, and recovered by Elizabeth; and that ambitious princess was so remarkably jealous of this flower of her crown, that she severely reprimanded the parliament if they ever presumed to intermeddle in these matters; and they were so overawed by her authority, as to submit, and to ask pardon on these occasions. But James's parliaments were much less obsequious. They ventured to lift up their eyes, and to consider this prerogative. They there saw a large province of government, possessed by the king alone, and scarcely ever communicated with the parliament.

¹ We find the king's answer in Winwood's Mem., vol. iii., p. 193, 2nd edit. 'To the third and fourth (viz. that it might be lawful to arrest the king's servants without leave, and that no man should be enforced to lend money, nor to give a reason why he would not), his majesty sent us in answer, that because we brought precedents of antiquity to strengthen those demands, he allowed not of any precedents drawn from the time of usurping or decaying princes, or people too bold and witting; that he desired not to govern in that commonwealth; where subjects should be assured of all things, and hope for nothing. It was one thing submittere principatum legibus, and another thing submittere principatum subditis. That he would not leave to posterity such a mark of weakness upon his reign, and therefore his conclusion was, non placet petitis, non placet exemplum. Yet with this intimation, that in matters of loan he would refuse no reasonable excuse, nor should any lord chamberlain deny the arresting of any of his majesty's servants, if just cause was shown.' The parliament, however, acknowledged at this time, with thankfulness, to the king, that he allowed deputies and enquiries about his prerogative, much beyond what had been indulged by any of his predecessors. Parl. Hist., vol. v., p. 230. This very answer he expressly gave them leave to produce all their grievances, without exception.

They were sensible that this province admitted not of any exact boundary or circumscription. They had felt that the Roman pontiff, in former ages, under pretence of religion, was gradually making advances to usurp the whole civil power. They dreaded still more dangerous consequences from the claims of their own sovereign, who resided among them, and who, in many other respects, possessed such unlimited authority. They therefore deemed it absolutely necessary to circumscribe this branch of prerogative; and accordingly, in the preceding session, they passed a bill against the establishment of any ecclesiastical canons without consent of parliament (Journ. Dec. 2nd, 11; March 5, 1606). But the House of Lords, as is usual, defended the barriers of the throne, and rejected the bill.

In this session, the commons, after passing anew the same bill, made remonstrances against the proceedings of the high commission court (Parl. Hist., vol. v., p. 247, Kennet, p. 681). It required no great penetration to see the extreme danger to liberty, arising in a regal government, from such large discretionary powers as were exercised by that court. But James refused compliance with the application of the commons. He was probably sensible that, besides the diminution of his authority, many inconveniences must necessarily result from the abolishing of all discretionary power in every magistrate, and that the laws, were they ever so carefully framed and digested, could not possibly provide against every contingency; much less, where they had not, as yet, attained a sufficient degree of accuracy and refinement.

But the business which chiefly occupied the commons during this session, was the abolition of wardships and purveyance; prerogatives which had been more or less touched on every session during the whole reign of James. In this affair, the commons employed the proper means, which might entitle them to success. They offered the king a settled revenue as an equivalent for the powers which he should part with, and the king was willing to hearken to terms. After much dispute, he agreed to give up these prerogatives for 200,000*l.* a year, which they agreed to confer upon him.¹ And nothing remained, towards closing the bargain, but that the commons should determine the funds by which this sum should be levied. This session was too far advanced to bring so difficult a matter to a full conclusion; and though the parliament met again towards the end of the year, and resumed the question, they were never able to terminate an affair upon which they seemed so intent. The journals of that session are lost;

¹ We learn from Winwood's Mem., vol. ii., p. 193, the reason assigned for this particular sum. 'From thence my lord treasurer came to the price, and here he said, that the king would no more rise and fall like a mere hunt. That he would not have a flower of his crown (meaning the court of wards) so much tossed, that it was too dainty to be so handled; and then he said, that he must deliver the very countenance and character of the king's mind out of his own hand-writing, which, before he read, he said he would acquaint us with a pleasant conceit of his majesty. As concerning the number of ninescore thousand pounds, which was our number, he could not affect, because nine was the number of the poets, who were always beggars, though they served so many wives; and eleven was the number of the apostles, when the traitor Judas was away, and therefore might best be affected by his majesty, but there was a mean number, which might accord us both, and that was ten: which, says my lord treasurer, is a sacred number, for so many were God's commandments, which tend to virtue and edification.' If the commons really voted 20,000 pounds a year more, on account of this pleasant conceit of the king and the treasurer, it was certainly the best paid wit, for its goodness, that ever was in the world.

and, as the historians of this reign are very negligent in relating parliamentary affairs, of whose importance they were not sufficiently apprised, we know not exactly the reason of this failure. It only appears, that the king was extremely dissatisfied with the conduct of the parliament, and soon after dissolved it. This was his first parliament, and it sat near seven years.

Amidst all these attacks, some more, some less violent, on royal prerogative, the king displayed, as openly as ever, all his exalted notions of monarchy and the authority of princes. Even in a speech to the parliament, where he begged for supply, and where he should naturally have used every art to ingratiate himself with that assembly, he expressed himself in these terms: 'I conclude, then, the point touching the power of kings, with this axiom of divinity, that, as to dispute what God may do, is blasphemy, but what God wills, that divines may lawfully, and do ordinarily, dispute and discuss; so is it sedition in subjects to dispute what a king may do in the height of his power. But just kings will ever be willing to declare what they will do, if they will not incur the censure of God. I will not be content, that my power be disputed upon; but I shall ever be willing to make the reason appear of my doings, and rule my actions according to my laws' (K. James's Works, p. 531). Notwithstanding the great extent of prerogative in that age, these expressions would probably give some offence. But we may observe that, as the king's despotism was more speculative than practical, so the independency of the commons was, at this time, the reverse; and though strongly supported by their present situation, as well as disposition, was too new and recent to be as yet founded on systematical principles and opinions.¹

This year was distinguished by a memorable event (May 3) which gave great alarm and concern in England: the murder of the French monarch by the pincard of the fanatical Ravallac. With his death, the glory of the French monarchy suffered an eclipse for some years;

¹ It may not be unworthy of observation, that James, in a book called 'The True Laws of Free Monarchies,' which he published a little before his accession to the crown of England, affirmed, 'That a good king, although he be above the law, will subject and frame his actions thereto, for example's sake to his subjects, and of his own free will, but not as subject or bound thereto.' In another passage, 'According to the fundamental law already alleged, we daily see, that in the parliament (which is nothing else but the head court of the king and his advisers) the laws are but created by his subjects, and only made by him at their request, and with their advice. For albeit the king make the duty statutes and ordinances, enjoining such pains thereto as he thinks meet, without the advice of parliament or estate, yet it lies in the power of no parliament to make any kind of law or statute, without his sceptre be to it, for giving it the force of a law' (King James's Works, p. 201). It is not to be supposed that, at such a critical juncture, James had so little sense as, directly, in a material point, to have openly shocked what were the universal established principles of that age. On the contrary, we are told by historians, that nothing tended more to facilitate his accession, than the good opinion entertained of him by the English, on account of his learned and judicious writings. The question, however, with regard to the royal power was, at this time, become a very dangerous point, and without employing ambiguous, insignificant terms, which determined nothing, it was impossible to please both king and parliament. Dr. Cowell, who had magnified the prerogative in words too intelligible, fell this session under the indignation of the commons. Parliament Hist. vol. v, p. 511. The king himself, after all his magnificent boasts, was obliged to make his escape through a distinction which he framed between a king in abstract and a king in concreto: an abstract king, he said, had all power, but a concrete king was bound to observe the laws of the country which he governed. (King James's Works, p. 533). But, how bound? by conscience only? Or might his subjects attack him and demand their privileges? Thus, he thought not fit to explain. And so difficult is it to explain that point, that, to this day, whatever liberties may be used by private inquirers, the laws have, very prudently, thought proper to maintain a total silence with regard to it.

and as that kingdom fell under an administration weak and bigoted, factious and disorderly, the Austrian greatness began anew to appear formidable to Europe. In England, the antipathy to the catholics revived a little upon this tragical event; and some of the laws, which had formerly been enacted, in order to keep these religionists in awe, began now to be executed with greater rigour and severity (Kennet's *England*, p. 684).

Though James's timidity and indolence fixed him, during most of his reign, in a very prudent inattention to foreign affairs, there happened, this year, an event in Europe of such mighty consequence as to rouse him from his lethargy, and summon up all his zeal and enterprise. A professor of divinity, named Voistius, the disciple of Arminius, was called from a German to a Dutch university, and as he differed from his Britannic majesty in some nice questions concerning the intimate essence and secret decrees of God, he was considered as a dangerous rival in scholastic fame, and was, at last, obliged to yield to the legions of that royal doctor, whose syllogisms he might have refuted or eluded. If vigour was wanting in other incidents of James's reign, here he behaved even with haughtiness and insolence; and the states were obliged, after several remonstrances, to deprive Voistius of his chair, and to banish him their dominions (*Ibid*, p. 715). The king carried no farther his animosity against that professor; though he had very charitably hinted to the states, 'That, as to the burning of Voistius for his blasphemies and atheism, he left them to their own Christian wisdom; but surely never heretic better deserved the flames' (K. James's Works, p. 355). It is to be remarked that, at this period, all over Europe, except in Holland alone, the practice of burning heretics still prevailed, even in protestant countries; and instances were not wanting in England, during the reign of James.

To consider James in a more advantageous light, we must take a view of him as the legislator of Ireland; and most of the institutions which he had framed for civilizing that kingdom being finished about this period, it may not here be improper to give some account of them. He frequently boasts of the management of Ireland as his master-piece; and it will appear, upon inquiry, that his vanity, in this particular, was not altogether without foundation.

After the subjection of Ireland by Elizabeth, the more difficult task still remained, to civilize the inhabitants, to reconcile them to laws and industry, and to render their subjection durable and useful to the crown of England. James proceeded in this work by a steady, regular, and well-concerted plan, and in the space of nine years, according to Sir John Davis, he made greater advances towards the reformation of that kingdom than had been made in the 440 years which had elapsed since the conquest was first attempted (K. James's Works, p. 259, edit. 1613).

It was previously necessary to abolish the Irish customs, which supplied the place of laws, and which were calculated to keep that people for ever in a state of barbarism and disorder.

By the Brehon law or custom, every crime, however enormous, was punished, not with death, but by a fine or pecuniary mulct, which was levied upon the criminal. Murder itself, as among all the ancient bar-

barous nations, was atoned for in this manner; and each man, according to his rank, had a different rate or value affixed to him, which, if any one were willing to pay, he needed not fear assassinating his enemy. This rate was called his 'eric'. When Sir William Fitzwilliams, being lord deputy, told Maguire that he was to send a sheriff into Fermanagh, which, a little before, had been made a county, and subjected to the English law; 'Your sheriff,' said Maguire, 'shall be welcome to me,' 'but, let me know beforehand, his eric, or the price of his head, that, if my people cut it off, I may levy the money upon the county' (Davis, p. 166). As for oppression, extortion, and other trespasses, so little were they regarded, that no penalty was affixed to them, and no redress for such offences could ever be obtained.

The customs of Gavelkinde and Tanistry were attended with the same absurdity in the distribution of property. The land, by the custom of Gavelkinde, was divided among all the males of the sept or family, both bastard and legitimate, and, after partition made, if any of the sept died, his portion was not shared out among his sons; but the chieftain, at his discretion, made a new partition of all the lands belonging to that sept, and gave every one his share (Ibid., p. 167). As no man, by reason of this custom, enjoyed the fixed property of any land, to build, to plant, to enclose, to cultivate, to improve, would have been so much lost labour.

The chieftains and the Tanists, though drawn from the principal families, were not hereditary, but were established by election, or, more properly speaking, by force and violence. Their authority was almost absolute; and, notwithstanding that certain lands were assigned to the office, its chief profit resulted from exactions, dues, assessments, for which there was no fixed law, and which were levied at pleasure (Ibid., p. 173). Hence arose that common bye-word among the Irish, 'That they dwelt westward of the law, which dwelt beyond the river of the Barrow,' meaning the country where the English inhabited, and which extended not beyond the compass of twenty miles, lying in the neighbourhood of Dublin (Ibid., p. 237).

After abolishing these Irish customs, and substituting English law in their place, James, having taken all the natives under his protection and declared them free citizens, proceeded to govern them by a regular administration, military as well as civil.

A small army was maintained, its discipline inspected, and its pay transmitted from England, in order to keep the soldiers from preying upon the country, as had been usual in former reigns. When Odoaghartie raised an insurrection, a reinforcement was sent over, and the flames of that rebellion were immediately extinguished.

All minds being first quieted by a general indemnity (Ibid., p. 263); circuits were established, justice administered, oppression banished, and crimes and disorders, of every kind severely punished (Ibid., pp. 264, 265, etc). As the Irish had been universally engaged in the rebellion against Elizabeth, a resignation of all the rights, which had been formerly granted them to separate jurisdictions, was rigorously exacted; and no authority, but that of the king and the law, was permitted throughout the kingdom (Ibid., p. 276).

A resignation of all private estates was even required; and when

they were restored, the proprietors received them*under such conditions as might prevent, for the future, all tyranny and oppression over the common people. The value of the dues, which the nobles usually claimed from their vassals, was estimated at a fixed sum, and all farther arbitrary exactions prohibited under severe penalties (Davis, p. 278).

The whole province of Ulster having fallen to the crown by the attainder of rebels, a company was established in London, for planting new colonies in that fertile country. the property was divided into moderate shares, the largest not exceeding 2000 acres; tenants were brought over from England and Scotland; the Irish were removed from the hills and fastnesses, and settled in the open country; husbandry and the arts were taught them; a fixed habitation secured; plunder and robbery punished: and, by these means, Ulster, from being the most wild and disorderly province of all Ireland, soon became the best cultivated and most civilized (Ibid., p. 280).

Such were the arts by which James introduced humanity and justice among a people who had ever been buried in the most profound barbarism. Noble cares! much superior to the vain and criminal glory of conquests; but requiring ages of perseverance and attention to perfect what had been so happily begun.

A laudable act of justice was, about this time, executed in England upon Lord Sanquhar, a Scottish nobleman, who had been guilty of the base assassination of Turner, a fencing-master. The English nation, who were generally dissatisfied with the Scots, were enraged at this crime, equally mean and atrocious; but James appeased them, by preferring the severity of law to the intercession of the friends and family of the criminal (Kennet, p. 688).

CHAPTER XLVII.

Death of Prince Henry—Marriage of the Princess Elizabeth with the Palatine—Rise of Somerset—His marriage—Overbury poisoned—Fall of Somerset—Rise of Buckingham—Cautionary towns delivered—Affairs of Scotland.

THIS year the sudden death (A.D. 1612, Nov. 6) of Henry, Prince of Wales, diffused an universal grief throughout the nation. Though youth and royal birth, both strong allurements, prepossess men mightily in favour of the early age of princes; it is with peculiar fondness that historians mention Henry; and, in every respect, his merit seems to have been extraordinary. He had not reached his eighteenth year, and he already possessed more dignity in his behaviour, and commanded more respect, than his father, with all his age, learning, and experience. Neither his high fortune, nor his youth, had seduced him into any irregular pleasures; business and ambition seem to have been his sole passion. His inclinations, as well as exercises, were martial. The French ambassador, taking leave of him, and asking his commands for France, found him employed in the exercise of the pike;

'Tell your king,' said he, 'in what occupation you left me engaged.'¹ He had conceived great affection and esteem for the brave Sir Walter Raleigh. It was his saying, 'Sure no king but my father would keep such a bird in a cage' (Coke's detection, p. 37). He seems indeed to have nourished too violent a contempt for the king on account of his pedantry and pusillanimity, and by that means struck in with the restless and martial spirit of the English nation. Had he lived, he had probably promoted the glory, perhaps not the felicity of his people. The unhappy prepossession, which men commonly entertain, in favour of ambition, courage, enterprise, and other warlike virtues, engages generous natures, who always love fame, into such pursuits as destroy their own peace, and that of the rest of mankind.

Violent reports were propagated, as if Henry had been carried off by poison; but the physicians, on opening his body, found no symptoms to confirm such an opinion (Kennet, p. 690; Coke, p. 37; Welwood, p. 272). The bold and criminal malignity of men's tongues and pens spared not even the king on the occasion. But that prince's character seems rather to have failed in the extreme of facility and humanity, than in that of cruelty and violence. His indulgence to Henry was great, and perhaps imprudent, by giving him a large and independent settlement, even in so early youth.

The marriage of the princess Elizabeth with Frederic Elector Palatine was finished (A.D. 1613, Feb. 14), some time after the death of the prince, and served to dissipate the grief which arose on that melancholy event. But this marriage, though celebrated with great joy and festivity, proved itself an unhappy event to the king, as well as to his son-in-law, and had ill consequences on the reputation and fortunes of both. The Elector, trusting to so great an alliance, engaged in enterprises beyond his strength; and the king, not being able to support him in his distress, lost entirely, in the end of his life, what remained of the affections and esteem of his own subjects.

Except during sessions of parliament, the history of this reign may more properly be called the history of the court than that of the nation. An interesting object had for some years engaged the attention of the court; it was a favourite, and one beloved by James with so profuse and unlimited an affection, as left no room for any rival or competitor. About the end of the year 1609, Robert Carr, a youth of twenty years of age, and of a good family in Scotland, arrived in London, after having passed some time in his travels. All his natural accomplishments consisted in good looks; all his acquired abilities, in an easy and graceful demeanour. He had letters of recommendation to his countryman Lord Hay, and that nobleman no sooner cast his eye upon him, than he discovered talents sufficient to entitle him immediately to make a great figure in the government. Apprised of the king's passion for youth and beauty, and exterior appearance, he studied how matters might be so managed that this new object should make the strongest impression upon him. Without mentioning him

¹ The French monarch had given particular orders to his ministers to cultivate the prince's friendship, who must soon, said he, have chief authority in England, where the king and queen are held in so little estimation. *Dep. de la Bodéine*, vol. i, pp. 405, 415, vol. ii, pp. 26, 349.

at court, he assigned him the office, at a match at tilting, of presenting to the king his buckler and device; and hoped that he would attract the attention of the monarch. Fortune proved favourable to his design by an incident which bore at first a contrary aspect. When Carlo was advancing to execute his office, his unruly horse flung him, and broke his leg in the king's presence. James approached him with pity and concern; love and affection arose on the sight of his beauty and tender years; and the prince ordered him immediately to be lodged in the palace, and to be carefully attended. He himself, after the tilting, paid him a visit in his chamber, and frequently returned during his confinement. The ignorance and simplicity of the boy finished the conquest, begun by his exterior graces and accomplishments. Other princes have been fond of choosing their favourites from the lower ranks of their subjects, and have reposed themselves on them with the more unreserved confidence and affection, because the object has been beholden to their bounty for every honour and acquisition; James was desirous that his favourite should also derive from him all his sense, experience, and knowledge. Highly concerted of his own wisdom, he pleased himself with the fancy that this raw youth, by his lessons and instructions, would, in a little time, be equal to his sagest ministers, and be initiated into all the profound mysteries of government, on which he set so high a value. And as this kind of creation was more perfectly his own work than any other, he seems to have indulged an unlimited fondness for his minion, beyond even that which he bore to his own children. He soon knighted him, created him Viscount Rochester, gave him the garter, brought him into the privy council, and, though at first without assigning him any particular office, bestowed on him the supreme direction of all his business and political concerns. Agreeable to this rapid advancement in confidence and honour were the riches heaped upon the needy favourite; and while Salisbury and all the wisest ministers could scarcely find expedients sufficient to keep in motion the overburthened machine of government, James, with unsparring hand, loaded with treasures this insignificant and useless pageant (Kennet, pp. 685, 686, etc.).

It is said that the king found his pupil so ill educated as to be ignorant even of the lowest rudiments of the Latin tongue; and that the monarch, laying aside the sceptic, took the buck into his royal hand, and instructed him in the principles of grammar. During the intervals of this noble occupation, affairs of state would be introduced; and the stippling, by the ascendant which he had acquired, was now enabled to pay in political, what he had received in grammatical, instruction. Such scenes and such incidents, are the more ridiculous, though the less odious, as the passion of James seems not to have contained in it anything criminal or flagitious. History charges herself willingly with a relation of the great crimes, and still more with that of the great virtues of mankind; but she appears to fall from her dignity, when necessitated to dwell on such frivolous events and ignoble personages.

The favourite was not, at first, so intoxicated with advancement, as not be sensible of his own ignorance and inexperience. He had recourse to the assistance and advice of a friend; and he was more

fortunate in his choice than is usual with such pampered minions. In Sir Thomas Overbury he met with a judicious and sincere counsellor, who, building all hopes of his own preferment on that of the young favourite, endeavoured to instil into him the principles of prudence and discretion. By zealously serving everybody, Care was taught to abate the envy which might attend his sudden elevation : by showing a preference for the English, he learned to escape the prejudices which prevailed against his country. And so long as he was content to be ruled by Overbury's friendly counsels, he enjoyed what is rare, — the highest favour of the prince, without being hated by the people.

To complete the measure of courtly happiness, nought was wanting but a kind mistress ; and, where high fortune concurred with all the graces of youth and beauty, this circumstance could not be difficult to attain. But it was here that the favourite met with that rock on which all his fortunes were wrecked, and which plunged him for ever into an abyss of infamy, guilt, and misery.

No sooner had James mounted the throne of England, than he remembered his friendship for the unfortunate families of Howard and Devereux, who had suffered for their attachment to the cause of Mary and to his own. Having restored young Essex to his blood and dignity, and conferred the titles of Suffolk and Northampton on two brothers of the house of Norfolk, he sought the farther pleasure of uniting these families by the marriage (A. D. 1613), of the Earl of Essex with Lady Frances Howard, daughter of the Earl of Suffolk. She was only thirteen, he fourteen, years of age, and it was thought proper, till both should attain the age of puberty, that he should go abroad and pass some time in his travels (Kennet, p. 686). He returned into England after four years' absence, and was pleased to find his countess in the full lustre of beauty, and possessed of the love and admiration of the whole court. But when the earl approached, and claimed the privileges of a husband, he met with nothing but symptoms of aversion and disgust, and a flat refusal of any farther familiarities. He applied to her parents, who constrained her to attend him into the country, and to partake of his bed ; but nothing could overcome her rigid sullenness and obstinacy ; and she still rose from his side, without having shared the nuptial pleasures. Disgusted with reiterated denials, he at last gave over the pursuit, and separating himself from her, thenceforth abandoned her conduct to her own will and discretion.

Such coldness and aversion in Lady Essex arose not without an attachment to another object. The favourite had opened his addresses, and had been too successful in making impression on the tender heart of the young countess (Idem., p. 687). She imagined that, so long as she refused the embraces of Essex, she never could be deemed his wife, and that a separation and divorce might still open the way for a new marriage with her beloved Rochester (State Trials, vol. i, p. 228). Though their passion was so violent, and their opportunities of intercourse so frequent, that they had already indulged themselves in all the gratifications of love, they still lamented their unhappy fate, while the union between them was not entire and indissoluble. And the

lover, as well as his mistress, was impatient, till their mutual ardour should be crowned by marriage.

So momentous an affair could not be concluded without consulting Overbury, with whom Rochester was accustomed to share all his secrets. While that faithful friend had considered his patron's attachment to the Countess of Essex merely as an affair of gallantry, he had favoured its progress, and it was partly owing to the ingenious and passionate letters which he dictated, that Rochester had met with such success in his addresses. Like an experienced courtier, he thought that a conquest of this nature would throw a lustre on the young favourite, and would tend still farther to endear him to James, who was charmed to hear of the amours of his court, and listened with attention to every tale of gallantry. But great was Overbury's alarm, when Rochester mentioned his design of marrying the countess; and he used every method to dissuade his friend from so foolish an attempt. He represented how invidious, how difficult an enterprise to procure her a divorce from her husband: how dangerous, how shameful, to take into his own bed a profligate woman, who, being married to a young nobleman of the first rank, had not scrupled to prostitute her character, and to bestow favours on the object of a capricious and momentary passion. And, in the zeal of friendship, he went so far as to threaten Rochester, that he would separate himself for ever from him, if he could so far forget his honour and his interest as to prosecute the intended marriage.¹

Rochester had the weakness to reveal this conversation to the Countess of Essex; and when her rage and fury broke out against Overbury, he had also the weakness to enter into her vindictive projects, and to swear vengeance against his friend for the utmost instance, which he could receive, of his faithful friendship. Some contrivance was necessary for the execution of their purpose. Rochester addressed himself to the king; and, after complaining that his own indulgence to Overbury had begotten in him a degree of arrogance which was extremely disagreeable, he procured a commission for his embassy to Russia, which he represented as a retreat for his friend, both profitable and honourable. When consulted by Overbury, he earnestly dissuaded him from accepting this offer, and took on himself the office of satisfying the king, if he should be anywise displeased with the refusal (*State Trials*, vol. i., pp. 236, 237, etc.). To the king again, he aggravated the insolence of Overbury's conduct, and (April 21) obtained a warrant for committing him to the Tower, which James intended as a slight punishment for his disobedience. The lieutenant of the Tower was a creature of Rochester's, and had lately been put into the office for this very purpose: he confined Overbury so strictly, that the unhappy prisoner was debarred the sight even of his nearest relations; and no communication of any kind was allowed with him, during near six months which he lived in prison.

This obstacle being removed, the lovers pursued their purpose; and the king himself, forgetting the dignity of his character, and his friendship for the family of Essex, entered zealously into the project of procuring the countess a divorce from her husband. Essex also em-

¹ *State Trials*, vol. i., pp. 235, 236, 239: Franklyn, p. 24.

braced the opportunity of separating himself from a bad woman, by whom he was hated, and he was willing to favour their success by any honourable expedient. The pretence for a divorce was his incapacity to fulfil the conjugal duties, and he confessed that, with regard to the countess, he was conscious of such an infirmity, though he was not sensible of it with regard to any other woman. In her place, too, it is said, a young virgin was substituted under a mask, to undergo the legal inspection by a jury of matrons. After such a trial, seconded by court-influence, and supported by the ridiculous opinion of fascination or witchcraft, the sentence of divorce was pronounced between the Earl of Essex and his countess¹. And to crown the scene, the king, solicitous lest the lady should lose any rank by her new marriage, bestowed on his minion the title of Earl of Somerset.

Notwithstanding this success, the Countess of Somerset was not satisfied, till she should farther satiate her revenge on Overbury; and she engaged her husband, as well as her uncle, the Earl of Northampton, in the atrocious design of taking him off secretly by poison. Fruitless attempts were reiterated by weak poisons; but (Sept. 16) at last, they gave him one so sudden and violent, that the symptoms were apparent to every one who approached him.² His interment was hurried on with the greatest precipitation; and, though a strong suspicion immediately prevailed in the public, the full proof of the crime was not brought to light till some years after.

The fatal catastrophe of Overbury increased, or begot, the suspicion that the Prince of Wales had been carried off by poison, given him by Somerset. Men considered not that the contrary inference was much juster. If Somerset was so great a novice in this detestable art that, during the course of five months, a man who was his prisoner, and attended by none but his emissaries, could not be despatched but in so bungling a manner, how could it be imagined that a young prince, living in his own court, surrounded by his own friends and domestics, could be exposed to Somerset's attempts, and be taken off by so subtle a poison, if such a one exist, as could elude the skill of the most experienced physicians?

The ablest minister that James ever possessed, the Earl of Salisbury, was dead (May 14, 1612): Suffolk, a man of slender capacity, had succeeded him in his office, and it was now his task to supply, from an exhausted treasury, the profusion of James and of his young favourite. The title of baronet, invented by Salisbury, was sold; and two hundred patents of that species of knighthood were disposed of for so many thousand pounds: each rank of nobility had also its price affixed to it (Franklyn, pp. 11, 33). Privy seals were circulated to the amount of 200,000*l.*: benevolences were exacted to the amount of 52,000*l.* (Idem., p. 10); and some monopolies of no great value were erected. But all these expedients proved insufficient to supply the king's necessities, even though he began to enter into some schemes for retrenching his expenses (Idem., p. 49). However small the hopes of success, a new parliament must be summoned, and this dangerous expedient, for such it was now become, once more be put to trial.

¹ State Trials, vol. 1, pp. 227, 224, etc.; Franklyn's Annals, pp. 2, 3, etc.

² Kennet, p. 691, State Trials, vol. 1, pp. 233, 234, etc.

When the commons were (A D. 1614) assembled, they discovered an extraordinary alarm, on account of the rumour which was spread abroad concerning 'undertakers.' It was reported that several persons, attached to the king, had entered into a confederacy; and having laid a regular plan for the new elections, had distributed their interest all over England, and had undertaken to secure a majority for the court. So ignorant were the commons, that they knew not this incident to be the first infallible symptom of any regular or established liberty. Had they been contented to follow the maxims of their predecessors, who, as the Earl of Salisbury said to the last parliament, never but thrice in six hundred years, refused a supply,³ they needed not dread that the crown should ever interest itself in their elections. Formerly, the kings even insisted that none of their household should be elected members, and though the charter was afterwards declared void, Henry VI., from his great favour to the city of York, conferred a peculiar privilege on its citizens, that they should be exempted from this trouble (Coke's Instit., part 4, chap. 1, of *Charters of Exemption*). It is well known, that in ancient times, a seat in the house being considered as a burthen attended neither with honour nor profit, it was requisite for the counties and boroughs to pay fees to their representatives. About this time a seat began to be regarded as an honour, and the country gentlemen contended for it, though the practice of levying wages for the parliament men was not altogether discontinued. It was not till long after, when liberty was thoroughly established, and popular assemblies entered into every branch of public business, that the members began to join profit to honour, and the crown found it necessary to distribute among them all the considerable offices of the kingdom.

So little skill, or so small means, had the courtiers in James's reign for managing elections, that this House of Commons showed rather a stronger spirit of liberty than the foregoing; and instead of entering upon the business of supply, as urged by the king, who made them several liberal offers of grace (*Journ.*, April 11, 1614), they immediately resumed the subject which had been opened last parliament, and disputed his majesty's power of levying new customs and impositions, by the mere authority of his prerogative. It is remarkable, that in their debates on this subject, the courtiers frequently pleaded as a precedent the example of all the other hereditary monarchs in Europe, and particularly mentioned the kings of France and Spain, nor was this reasoning received by the house either with surprise or indignation (*Ibid.*, May 21, 1614). The members of the opposite party either contented themselves with denying the justness of the inference, or they disputed the truth of the observation (*Ibid.*, May 12, 21, 1614). And a patriot member in particular, Sir Roger Owen, even in arguing against the impositions, frankly allowed, that the King of England

¹ *Parl. Hist.*, vol. v., p. 286, Kennet, p. 696, *Journ.*, April 12, May 2, 1614, etc., Franklyn, p. 48.

² *Journ.*, Feb. 17, 1609. It appears, however, that Salisbury was somewhat mistaken in this fact, and if the kings were not oftener refused supply by the parliament, it was only because they would not often expose themselves to the hazard of being refused; but it is certain that English parliaments did anciently carry their frugality to an extreme, and seldom could be prevailed upon to give the necessary support to government.

was endowed with as ample power and prerogative as any prince in Christendom (Journ., April 18, 1614). The nations on the continent, we may observe, enjoyed still, in that age, some small remains of liberty, and the English were possessed of little more.

The commons applied to the lords for a conference with regard to the new impositions. A speech of Neile, bishop of Lincoln, reflecting on the lower house, begat some altercation with the peers,¹ and the king seized the opportunity of dissolving, immediately, with great indignation, a parliament which had shown so firm a resolution of retrenching his prerogative, without communicating, in return, the smallest supply to his necessities. He carried his resentment so far, as even to throw into prison some of the members who had been the most forward in their opposition to his measures (Kennet, p. 696). In vain did he plead, in excuse for his violence, the example of Elizabeth and other princes of the line of Tudor, as well as Plantagenet. The people and the parliament, without abandoning for ever all their liberties and privileges, could acquiesce in none of these precedents, how ancient and frequent soever. And were the authority of such precedents admitted, the utmost that could be inferred is, that the constitution of England was, at that time, an inconsistent fabric, whose jarring and discordant parts must soon destroy each other, and from the dissolution of the old, beget some new form of civil government more uniform and consistent.

In the public and avowed conduct of the king and the house of commons, throughout this whole reign, there appears sufficient cause of quarrel and mutual disgust, yet are we not to imagine that this was the sole foundation of that jealousy which prevailed between them. During debates in the house, it often happened that a particular member, more ardent and zealous than the rest, would display the highest sentiments of liberty, which the commons contented themselves to hear with silence and seeming approbation; and the king, informed of these harangues, concluded the whole house to be infected with the same principles, and to be engaged in a combination against his prerogative. The king, on the other hand, though he valued himself extremely on his king-craft, and perhaps was not altogether incapable of dissimulation, seems to have been very little endowed with the gift of secrecy, but openly, at his table, in all companies, inculcated those monarchical tenets which he had so strongly imbibed. Before a numerous audience, he had expressed himself with great disparagement of the common law of England, and had given the preference, in the strongest terms, to the civil law; and for this indiscretion he found himself obliged to apologise, in a speech to the former parliament (King James's Works, p. 532). As a specimen of his usual liberty of

¹ Parl. Hist., vol. v., p. 290. So little fixed at this time were the rules of parliament, that the commons complained to the peers of a speech made in the upper house by the Bishop of Lincoln, which it belonged only to that house to censure, and which the other could not regularly be supposed to be acquainted with. These, at least, are the rules established since the parliament became a real seat of power, and scene of business. Neither the king must take notice of what passes in either house, nor either house of what passes in the other, till regularly informed of it. The commons, in their famous protestation, 1641, fixed this rule with regard to the king, though at present they would not bind themselves by it. But as liberty was as yet new, those maxims which guard and regulate it were unknown and unpractised.

talk, we may mention a story, though it passed some time after, which we meet with in the life of Waller, and which that poet used frequently to repeat. When Waller was young, he had the curiosity to go to court; and he stood in the circle, and saw James dine; where, among other company, there sat at table two bishops, Neile and Andrews. The king proposed aloud this question,—whether he might not take his subjects' money, when he needed it, without all this formality of parliament? Neile replied, 'God forbid you should not: for you are the breath of our nostrils.' Andrews declined answering, and said he was not skilled in parliamentary cases: but upon the king's urging him, and saying that he would admit of no evasion, the bishop replied pleasantly 'Why, then, I think your majesty may lawfully take my brother Neile's money for he offers it' (Preface to Waller's Works).

The favourite had hitherto escaped the inquiry of justice; but he had not escaped that still voice which can make itself be heard amidst all the hurry and flattery of a court, and astonishes the criminal with a just representation of his most secret enmities. Conscious of the murder of his friend, Somerset received small consolation from the enjoyments of love, or the utmost kindness and indulgence of his sovereign. The graces of his youth gradually disappeared; the gaiety of his manners was obscured; his politeness and obliging behaviour were changed into sullenness and silence. And the king, whose affections had been engaged by these superficial accomplishments, began (A.D. 1615), to estrange himself from a man who no longer contributed to his amusement.

The sagacious courtiers observed the first symptoms of this disgust: Somerset's enemies seized the opportunity, and offered a new minion to the king. George Villiers, a youth of one-and-twenty, younger brother of a good family, returned at this time from his travels, and was remarked for the advantages of a handsome person, genteel air, and fashionable apparel. At a comedy he was purposely placed full in James's eye, and immediately engaged the attention, and, in the same instant, the affections, of that monarch (Franklyn, p. 50; Kennet, vol. ii, p. 698). Ashamed of his sudden attachment, the king endeavoured, but in vain, to conceal the partiality which he felt for the handsome stranger; and he employed all his profound politics to fix him in his service without seeming to desire it. He declared his resolution not to confer any office on him, unless entreated by the queen; and he pretended, that it should only be in complaisance to her choice he would agree to admit him near his person. The queen was immediately applied to; but she, well knowing the extreme to which the king carried these attachments, refused, at first, to lend her countenance to this new passion. It was not till entreated by Abbot, archbishop of Canterbury, a decent prelate, and one much prejudiced against Somerset, that she would condescend to oblige her husband, by asking this favour of him (Coke, pp. 46, 47; Rush., vol. i, p. 456). And the king, thinking now that all appearances were fully saved, no longer constrained his affection, but immediately bestowed the office of cup-bearer on young George Villiers.

The whole court was thrown into parties between the two minions: while some endeavoured to advance the rising fortunes of Villiers,

44 *Punishment of the Poisoners of Overbury. Mrs. Turner.*

others deemed it safer to adhere to the established credit of Somerset. The king himself, divided between inclination and decorum, increased the doubt and ambiguity of the courtiers; and the stern jealousy of the old favourite, who refused every advance of friendship from his rival, begat perpetual quarrels between their several partisans. But the discovery of Somerset's guilt in the murder of Overbury, at last decided the controversy, and exposed him to the ruin and infamy which he so well merited.

An apothecary's apprentice, who had been employed in making up the poisons, having retired to Flushing, began to talk very freely of the whole secret and the affair at last came to the ears of Trumbal, the king's envoy in the Low Countries. By his means, Sir Ralph Winwood, secretary of state, was informed, and he immediately carried the intelligence to James. The king, alarmed, and astonished to find such enormous guilt in a man whom he had admitted into his bosom, sent for Sir Edward Coke, chief justice, and earnestly recommended to him the most rigorous and unbiassed scrutiny. This injunction was executed with great industry and severity: the whole labyrinth of guilt was carefully unravelled, the lesser criminals, Sir Jervis Elvis, lieutenant of the tower, Franklin, Weston, Mrs. Turner, were first tried and condemned, Somerset and his countess were afterwards found guilty, and Northampton's death, a little before, had saved him from a like fate.

It may not be unworthy of remark, that Coke, in the trial of Mrs. Turner, told her that she was guilty of the seven deadly sins: she was a whore, a bawd, a sorceress, a witch, a papist, a felon, and a murderer (State Trials, vol 1, p. 230). And, what may more surprise us, Bacon, then attorney general, took care to observe that poisoning was a popish trick (Ibid, vol 1, p. 242). Such were the bigoted prejudices which prevailed: poisoning was not, of itself, sufficiently odious, if it were not represented as a branch of popery. Stowe tells us, that when the king came to Newcastle, on his first entry into England, he gave liberty to all the prisoners, except those who were confined for treason, murder, and *papistry*. When one considers these circumstances, that furious bigotry of the catholics which broke out in the Gunpowder conspiracy appears the less surprising.

All the accomplices in Overbury's murder received the punishment due to their crime, but the king bestowed a pardon on the principals, Somerset and the countess. It must be confessed, that James's fortitude had been highly laudable, had he persisted in his first intention of consigning over to severe justice all the criminals: but let us still beware of blaming him too harshly, if, on the approach of the fatal hour, he scrupled to deliver into the hands of the executioner, persons whom he had once favoured with his most tender affections. To soften the rigour of their fate, after some years' imprisonment he restored them to their liberty, and conferred on them a pension, with which they retired, and languished out old age in infamy and obscurity. Their guilty loves were turned into the most deadly hatred, and they passed many years together in the same house, without any intercourse or correspondence with each other (Kennet, p. 699).

Several historians (Coke, Weldon, etc.), in relating these events,

have insisted much on the dissimulation of James's behaviour, when he delivered Somerset into the hands of the chief justice; on the insolent menaces of that criminal; on his peremptory refusal to stand a trial, and on the extreme anxiety of the king during the whole progress of this affair. Allowing all these circumstances to be true, of which some are suspicious, if not palpably false (*Biog. Brit.*, article Coke, p. 1384), the great remains of tenderness which James still felt for Somerset may, perhaps, be sufficient to account for them. That favourite was high-spirited, and resolute rather to perish than live under the infamy to which he was exposed. James was sensible that the pardoning of so great a criminal, which was of itself invidious, would become still more unpopular, if his obstinate and stubborn behaviour on his trial should augment the public hatred against him (*Bacon*, vol. iv, p. 617). At least, the unreserved confidence in which the king had indulged his favourite for several years, might render Somerset master of so many secrets, that it is impossible, without farther light, to assign the particular reason of that superiority, which, it is said, he appeared so much to assume.

The fall of Somerset, and his banishment from court, opened the way for Villiers to mount up at once to the full height of favour, of honours, and of riches. Had James's passion been governed by common rules of prudence, the office of cup-bearer would have attached Villiers to his person, and might well have contented one of his age and family; nor would any one, who was not cynically austere, have much censured the singularity of the king's choice in his friends and favourites. But such advancement was far inferior to the fortune which he intended for his minion. In the course of a few years he created him Viscount Villiers, Earl, Marquis, and Duke of Buckingham, knight of the garter, master of the horse, chief justice in eyre, warden of the cinque ports, master of the king's-bench office, steward of Westminster, constable of Windsor, and lord high admiral of England (*Franklyn*, p. 30, *Clarendon*, 8vo edit, vol. i, p. 10). His mother obtained the title of Countess of Buckingham; his brother was created Viscount Pubeck, and a numerous train of needy relations were all pushed up into credit and authority. And thus the fond prince, while he meant to play the tutor to his favourite, and to train him up in the rules of prudence and politics, took an infallible method, by loading him with premature and exorbitant honours, to render him, for ever, rash, precipitate, and insolent.

A young minion to gratify with pleasure, a necessitous family to supply with riches, were enterprises too great for the empty exchequer of James. In order to obtain a little money, the cautionary towns must be delivered up to the Dutch,—a measure which has been severely blamed by almost all historians, and I may venture to affirm that it has been censured much beyond its real weight and importance.

When queen Elizabeth advanced money for the support of the infant republic, besides the view of securing herself against the power and ambition of Spain, she still reserved the prospect of reimbursement; and she got consigned into her hands the three important fortresses of Flushing, the Brille, and Rammekens, as pledges for the money due to her. Indulgent to the necessitous condition of the

states, she agreed that the debt should bear no interest, and she stipulated that if ever England should make a separate peace with Spain, she should pay the troops which garrisoned those fortresses (Rymer, tom. xvi, p. 341; Winwood, vol. II., p. 351).

After the truce was concluded between Spain and the United Provinces, the States made an agreement with the king, that the debt, which then amounted to 800,000*l.*, should be discharged by yearly payments of 40,000*l.*; and as five years had elapsed, the debt was now reduced to 600,000*l.*, and in fifteen years more, if the truce were renewed, it would be finally extinguished (Carleton's Letters, p. 27, 28). But of this sum, 26,000*l.* a-year were expended on the pay of the garrisons, the remainder alone accrued to the king; and the States, weighing these circumstances, thought that they made James a very advantageous offer, when they expressed their willingness, on the surrender of the cautionary towns, to pay him immediately 250,000*l.*, and to incorporate the English garrisons in their army. It occurred also to the king, that even the payment of the 40,000*l.* a-year was precarious, and depended on the accident that the truce should be renewed between Spain and the republic; if war broke out, the maintenance of the garrisons lay upon England alone,—a burthen very useless, and too heavy for the slender revenues of that kingdom; that, even during the truce, the Dutch, straitened by other expenses, were far from being regular in their payments, and the garrisons were at present in danger of mutinying for want of subsistence; that the annual sum of 14,000*l.*, the whole saving on the Dutch payments, amounted, in fifteen years, to no more than 210,000*l.*; whereas 250,000*l.* were offered immediately,—a larger sum, and if money be computed at ten per cent. the current interest—more than double the sum to which England was entitled;¹ that if James waited till the whole debt were discharged, the troops, which composed the garrisons, remained a burthen upon him, and could not be broken without receiving some consideration for their past services; that the cautionary towns were only a temporary restraint upon the Hollanders, and in the present emergency the conjunction of interest between England and the republic was so intimate as to render all other ties superfluous, and no reasonable measures for mutual support would be wanting from the Dutch, even though freed from the dependence of these garrisons; that the exchequer of the republic was at present very low, insomuch that they found difficulty, now that the aids of France were withdrawn, to maintain themselves in that posture of defence which was requisite during the truce with Spain; and that the Spaniards were perpetually insisting with the king on the restitution of these towns, as belonging to their crown, and no cordial alliance could ever be made with that nation while they remained in the hands of the English (Rushworth, vol. I., p. 3). These reasons, together with his urgent wants, induced the king to accept (June 6) of Caron's offer, and he evacuated the cautionary towns, which held the States in a degree of subjection, and which an

¹ An annuity of 14,000*l.* during fifteen years,—money being at 10 per cent.—is worth on computation only 166,500*l.*, whereas the king received 250,000*l.*; yet the bargain was good for the Dutch, as well as the king, because they were both of them freed from the maintenance of useless garrisons.

ambitious and enterprising prince would have regarded as his most valuable possessions. This is the date of the full liberty of the Dutch commonwealth.

When the crown of England devolved on James, it might have been foreseen by the Scottish nation that the independence of their kingdom, the object for which their ancestors had shed so much blood, would now be lost; and that, if both states persevered in maintaining separate laws and parliaments, the weaker would more sensibly feel the subjection than if it had been totally subdued by force of arms. But these views did not generally occur. The glory of having given a sovereign to their powerful enemy, the advantages of present peace and tranquillity, the riches acquired from the munificence of their master,—these considerations secured their dutiful obedience to a prince who daily gave such sensible proofs of his friendship and partiality towards them. Never had the authority of any king, who resided among them, been so firmly established as was that of James, even when absent; and as the administration had been hitherto conducted with great order and tranquillity, there had happened no occurrence to draw thither our attention. But this summer the king was resolved (May, A.D. 1617) to pay a visit to his native country, in order to renew his ancient friendships and connections, and to introduce that change of ecclesiastical discipline and government on which he was extremely intent. The three chief points of this kind, which James proposed to accomplish by his journey to Scotland, were, the enlarging of episcopal authority, the establishing of a few ceremonies in public worship, and the fixing of a superiority in the civil above the ecclesiastical jurisdiction.

But it is an observation suggested by all history, and by none more than by that of James and his successor, that the religious spirit, when it mingles with faction, contains in it something supernatural and unaccountable: and that, in its operations upon society, effects correspond less to their known causes than is found in any other circumstance of government: a reflection which may, at once, afford a source of blame against such sovereigns as lightly innovate in so dangerous an article, and of apology for such, as being engaged in an enterprise of that nature, are disappointed of the expected event, and fail in their undertakings.

When the Scottish nation was first seized with that zeal for reformation which, though it caused such disturbance during the time, has proved so salutary in the consequences, the preachers, assuming a character little inferior to the prophetic or apostolical, disdained all subjection to the spiritual rulers of the Church, by whom their innovations were punished and opposed. The revenues of the dignified clergy, no longer considered as sacred, were either appropriated by the present possessors, or seized by the more powerful barons; and what remained, after mighty dilapidations, was, by act of parliament, annexed to the crown. The prelates, however, and abbots, maintained their temporal jurisdictions and their seats in parliament; and though the men were sometimes endowed with ecclesiastical titles, the Church, notwithstanding its frequent protestations to the contrary, was still supposed to be represented by those spiritual lords in the states of the kingdom. After many struggles, the king, even before his accession to

the throne of England, had acquired sufficient influence over the Scottish clergy to extort from them an acknowledgment of the parliamentary jurisdiction of bishops, though attended with many precautions, in order to secure themselves against the spiritual encroachments of that order (1598). When King of England, he engaged them, though still with great reluctance on their part, to advance a step farther, and to receive the bishops as perpetual presidents or moderators in their ecclesiastical synods, reiterating their protestations against all spiritual jurisdiction of the prelates and all controlling power over the presbyters (1606). And by such gradual innovations the king flattered himself that he should quietly introduce episcopal authority; but, as his final scope was fully seen from the beginning, every new advance gave fresh occasion of discontent, and aggravated, instead of softening, the abhorrence entertained against the prelacy.

What rendered the king's aim more apparent, were the endeavours which, at the same time, he used to introduce into Scotland some of the ceremonies of the Church of England. The first, it was easily foreseen, would soon follow. The fire of devotion, excited by novelty and inflamed by opposition, had so possessed the minds of the Scottish reformers, that all rites and ornaments, and even order of worship, were disdainfully rejected as useless burthens; retarding the imagination in its rapturous ecstasies, and cramping the operations of that Divine spirit, by which they supposed themselves to be animated. A mode of worship was established, the most naked and most simple imaginable; one that borrowed nothing from the senses, but reposed itself entirely on the contemplation of that Divine essence which discovers itself to the understanding only. This species of devotion, so worthy of the Supreme Being, but so little suitable to human frailty, was observed to occasion great disturbances in the breast, and in many respects to confound all rational principles of conduct and behaviour. The mind, straining for these extraordinary raptures, reaching them by short glances, sinking again under its own weakness, rejecting all exterior aid of pomp and ceremony, was so occupied in this inward life, that it fled from every intercourse of society, and from every cheerful amusement, which could soften or humanize the character. It was obvious to all discerning eyes, and had not escaped the king's, that, by the prevalence of fanaticism, a gloomy and sullen disposition established itself among the people; a spirit obstinate and dangerous, independent and disorderly, animated equally with a contempt of authority, and a hatred to every other mode of religion, particularly to the catholic. In order to mellow these humours, James endeavoured to infuse a small tincture of ceremony into the national worship, and to introduce such rites as might, in some degree, occupy the mind and please the senses, without departing too far from that simplicity by which the reformation was distinguished. The finer arts, too, though still rude in these northern kingdoms, were employed to adorn the churches, and the king's chapel, in which an organ was erected, and some pictures and statues displayed, was proposed as a model to the rest of the nation. But music was grating to the prejudiced ears of the Scottish clergy; sculpture and painting appeared instruments of idolatry; the surplice

was a tag of popery; and every motion or gesture, prescribed by the liturgy, was a step towards that spiritual Babylon, so much the object of their horror and aversion. Everything was deemed impious, but their own mystical comments on the Scriptures, which they idolized, and whose eastern prophetic style they employed in every common occurrence.

It will not be necessary to give a particular account of the ceremonies which the king was so intent to establish. Such institutions, for a time, are esteemed either too Divine to have proceeded from any other being than the supreme Creator of the universe, or too diabolical to have been derived from any but an infernal demon. But no sooner is the mode of the controversy past, than they are universally discovered to be of so little importance, as scarcely to be mentioned with decency amidst the ordinary course of human transactions. It suffices here to remark, that the rites introduced by James regarded the kneeling at the sacrament, private communion, private baptism, confirmation of children, and the observance of Christmas and other festivals (Franklyn, p. 25; Spotswood). The acts establishing these ceremonies were afterwards known by the name of the Articles of Perth, from the place where they were ratified by the assembly.

A conformity of discipline and worship between the churches of England and Scotland, which was James's aim, he never could hope to establish, but by first procuring an acknowledgment of his own authority in all spiritual causes; and nothing could be more contrary to the practice as well as principles of the presbyterian clergy. The ecclesiastical courts possessed the power of pronouncing excommunication; and that sentence, besides the spiritual consequences supposed to follow from it, was attended with immediate effects of the most important nature. The person excommunicated was shunned by every one as profane and impious, and his whole estate, during his life-time, and all his moveables, for ever, were forfeited to the crown. Nor were the previous steps, requisite before pronouncing this sentence, formal or regular, in proportion to the weight of it. Without accuser, without summons, without trial, any ecclesiastical court, however inferior, sometimes pretended, in a summary manner, to denounce excommunication, for any cause, and against any person, even though he lived not within the bounds of their jurisdiction (Spotswood). And by this means, the whole tyranny of the inquisition, though without its order, was introduced into the kingdom.

But the clergy were not content with the unlimited jurisdiction which they exercised in ecclesiastical matters. They assumed a censorial power over every part of administration; and in all their sermons, and even prayers, mingling politics with religion, they inculcated the most seditious and most turbulent principles. Black, minister of St Andrews, went so far (1596) in a sermon, as to pronounce all kings the devil's children; he gave the Queen of England the appellation of atheist; he said that the treachery of the king's heart was now fully discovered, and in his prayers for the queen he used these words, 'We must pray for her for the fashion's sake, but we have no cause she will never do us any good.' When summoned before the privy council, he refused to answer to a civil court for anything delivered from the

pulpit, even though the crime of which he was accused was of a civil nature. The church adopted his cause. They raised a sedition in Edinburgh (Dec. 17, 1596). The king, during some time, was in the hands of the enraged populace, and it was not without courage, as well as dexterity, that he was able to extricate himself (Spotswood). A few days after, a minister, preaching in the principal church of that capital said, that the king was possessed with a devil; and that, one devil being expelled, seven worse had entered in his place (Ibid.) To which he added, that the subjects might lawfully rise and take the sword out of his hand. Scarcely, even during the darkest night of papal superstition, are there found such instances of piously encroachments as the annals of Scotland present to us during that period.

By these extravagant stretches of power, and by the patient conduct of James, the church began to lose ground, even before the king's accession to the throne of England. But no sooner had that event taken place, than he made the Scottish clergy sensible that he was become the sovereign of a great kingdom, which he governed with great authority. Though formerly he would have thought himself happy to have made a fair partition with them of the civil and ecclesiastical authority, he was now resolved to exert a supreme jurisdiction in church as well as state, and to put an end to their seditious practices. An assembly had been summoned at Aberdeen (July, 1604), but, on account of his journey to London, he prorogued it to the year following. Some of the clergy, disavowing his ecclesiastical supremacy, met at the time first appointed, notwithstanding his prohibition. He threw them into prison. Such of them as submitted, and acknowledged their error, were pardoned. The rest were brought to their trial. They were condemned for high treason. The king gave them their lives, but banished them the kingdom. Six of them suffered this penalty (Ibid.).

The general assembly was afterwards induced (June 6, 1610) to acknowledge the king's authority in summoning ecclesiastical courts, and to submit to the jurisdiction and visitation of the bishops. Even their favourite sentence of excommunication was declared invalid, unless confirmed by the ordinary. The king recommended to the inferior courts the members whom they should elect to this assembly; and everything was conducted in it with little appearance of choice and liberty (Ibid.).

By his own prerogative, likewise, which he seems to have stretched on this occasion, the king erected a court of high commission (Feb. 15, 1610) in imitation of that which was established in England. The bishops and a few of the clergy who had been summoned, willingly acknowledged this court; and it proceeded immediately upon business, as if its authority had been grounded on the full consent of the whole legislature.

But James reserved the final blow for the time when he should himself pay a visit to Scotland. He (June 13) proposed to the parliament, which was then assembled, that they should enact, that, 'whatever his majesty should determine in the external government of the church, with the consent of the archbishops, bishops, and a competent number of the ministry, should have the force of law.'

(Spotswood; Franklyn, p. 29). What number should be deemed competent was not determined, and their nomination was left entirely to the king, so that his ecclesiastical authority, had this bill passed, would have been established in its full extent. Some of the clergy protested. They apprehended, they said, that the purity of their church would, by means of this new authority, be polluted with all the rites and liturgy of the Church of England. James, dreading clamour and opposition, dropped the bill, which had already passed the lords of articles; and asserted, that the inherent prerogative of the crown contained more power than was recognised by it. Some time after, he called (July 10) at St. Andrews, a meeting of the bishops and thirty-six of the most eminent clergy. He there declared his resolution of exerting his prerogative, and of establishing, by his own authority, the few ceremonies which he had recommended to them. They entreated him rather to summon a general assembly, and to gain their assent. An assembly was accordingly summoned to meet on the 25th of November ensuing.

Yet this assembly, which met after the king's departure from Scotland, eluded all his applications; and it was not till the subsequent year, that he was able to procure a vote for receiving his ceremonies. And through every step of this affair, in the parliament as well as in all the general assemblies, the nation betrayed the utmost reluctance to all these innovations, and nothing but James's importunity and authority had extorted a seeming consent, which was belied by the inward sentiments of all ranks of people. Even the few over whom religious prejudices were not prevalent, thought national honour sacrificed by a servile imitation of the modes of worship practised in England. And every prudent man agreed in condemning the measures of the king, who, by an ill-timed zeal for insignificant ceremonies, had betrayed, though in an opposite manner, equal narrowness of mind with the persons whom he treated with such contempt. It was judged that, had not these dangerous humours been irritated by opposition, had they been allowed peaceably to evaporate, they would at last have subsided within the limits of law and civil authority. And that, as all fanatical religions naturally circumscribe to very narrow bounds the numbers and riches of the ecclesiastics; no sooner is their first fire spent, than they lose their credit over the people, and leave them under the natural and beneficent influence of their civil and moral obligations.

At the same time that James shocked in so violent a manner the religious principles of his Scottish subjects, he acted in opposition to those of his English. He had observed in his progress through England that a judicial observance of the Sunday, chiefly by means of the puritans, was every day gaining ground throughout the kingdom, and that the people, under colour of religion, were, contrary to former practice, debared such sports and recreations as contributed both to their health and their amusement (Kennet, p. 709). Festivals which, in other nations and ages, are partly dedicated to public worship, partly to mirth and society, were here totally appropriated to the office of religion, and served to nourish those sullen and gloomy contemplations to which the people were of themselves so unfortunately subject. The king imagined that it would be easy to infuse cheerfulness into this

dark spirit of devotion. He issued a proclamation to allow and encourage, after divine service, all kinds of lawful games and exercises, and, by his authority, he endeavoured to give sanction to a practice, which his subjects regarded as the utmost instance of profaneness and impiety.¹

CHAPTER XLVIII.

Sir Walter Raleigh's expedition—His execution—Insurrections in Bohemia—Loss of the Palatinate—Negotiations with Spain.—A parliament—Parties—Fall of Bacon—Rupture between the king and the commons.—Protestation of the commons.

AT the time (A.D. 1618) when Sir Walter Raleigh was first confined in the Tower, his violent and haughty temper had rendered him the most unpopular man in England; and his condemnation was chiefly owing to that public odium under which he laboured. During the thirteen years' imprisonment which he suffered, the sentiments of the nation were much changed with regard to him. Men had leisure to reflect on the hardship, not to say injustice, of his sentence; they pitied his active and enterprising spirit, which languished in the rigours of confinement; they were struck with the extensive genius of the man, who, being educated amidst naval and military enterprises, had surpassed in the pursuits of literature even those of the most recluse and sedentary lives, and they admired his unbroken magnanimity, which, at his age and under his circumstances, could engage him to undertake and execute so great a work as his 'History of the World.' To increase these favourable dispositions, on which he built the hopes of recovering his liberty, he spread the report of a golden mine which he had discovered in Guiana, and which was sufficient, according to his representation, not only to enrich all the adventurers, but to afford immense treasures to the nation. The king gave little credit to these mighty promises, both because he believed that no such mine as the one described was anywhere in nature, and because he considered Raleigh as a man of desperate fortunes, whose business it was, by any means, to procure his freedom, and to reinstate himself in credit and authority. Thinking, however, that he had already undergone sufficient punishment, he released him from the Tower; and when his vaunts of the golden mine had induced multitudes to engage with him, the king gave them permission to try the adventure, and, at their desire, he conferred on Raleigh authority over his fellow adventurers. Though strongly

¹ Franklyn, p. 37. To show how rigid the English, chiefly the puritans, were become in this particular, a bill was introduced into the house of commons, in the 18th of the king, for the more strict observance of the Sunday, which they affected to call the Sabbath. One Shepherd opposed this bill, objected to the appellation of Sabbath as puritanical, defended dancing by the example of David, and seems even to have justified sports on that day. For this profaneness he was expelled the house, by the suggestion of Mr. Pym. The house of lords opposed so far this puritanical spirit of the commons, that they proposed, that the appellation of Sabbath should be changed into that of the Lord's Day. Journ., Feb. 15, 1620, May 28, 1621. In Shepherd's sentence, his offence is said by the house to be great, exorbitant, unparalleled.

solicited, he still refused to grant him a pardon, which seemed a natural consequence when he was entrusted with power and command. But James declared himself still diffident of Raleigh's intentions, and he meant, he said, to reserve the former sentence, as a check upon his future behaviour.

Raleigh well knew that it was far from the king's purpose to invade any of the Spanish settlements, he therefore firmly denied that Spain had planted any colonies on that part of the coast where his mine lay. When Gondomar, the ambassador of that nation, alarmed at his preparations, carried complaints to the king, Raleigh still protested the innocence of his intentions, and James assured Gondomar, that he durst not form any hostile attempt, but should pay with his head for so audacious an enterprise. The minister, however, concluding that twelve armed vessels were not fitted out without some purpose of invasion, conveyed the intelligence to the court of Madrid, who immediately gave orders for arming and fortifying all their settlements, particularly those along the coast of Guiana.

When the courage and avarice of the Spaniards and Portuguese had discovered so many new worlds, they were resolved to show themselves superior to the barbarous heathens whom they invaded, not only in arms and arms, but also in the justice of the quarrel. They applied to Alexander VI., who then filled the papal chair; and he generously bestowed on the Spaniards the whole western, and on the Portuguese the whole eastern part of the globe. The more scrupulous Protestants, who acknowledged not the authority of the Roman pontiff, established the first discovery as the foundation of their title, and if a pirate or sea-adventurer of their nation had but erected a stick or stone on the coast, as a memorial of his taking possession, they concluded the whole continent to belong to them, and thought themselves entitled to expel or exterminate, as usurpers, the ancient possessors and inhabitants. It was in this manner that Sir Walter Raleigh, about twenty-three years before, had acquired to the crown of England a claim to the continent of Guiana, — a region as large as the half of Europe; and though he had immediately left the coast, yet he pretended that the English title to the whole remained certain and indefeasible. But it had happened in the mean time that the Spaniards, not knowing, or not acknowledging this imaginary claim, had taken possession of a part of Guiana, had formed a settlement on the river Orinoco, had built a little town called St. Thomas, and were there working some mines of small value.

To this place Raleigh directly bent his course; and, remaining himself at the mouth of the river with five of the largest ships, he sent up the rest to St. Thomas, under the command of his son, and of Captain Keymis, a person entirely devoted to him. The Spaniards, who had expected this invasion, fired on the English at their landing, were repulsed, and pursued into the town. Young Raleigh, to encourage his men, called out, 'That this was the true mine, and none but fools looked for any other;' and, advancing upon the Spaniards, received a shot, of which he immediately expired. This dismayed not Keymis and the others. They carried on the attack; got possession of the town, which they afterwards reduced to ashes; and found not in it anything of value.

Raleigh did not pretend that he had himself seen the mine, which he had engaged so many people to go in quest of, it was Keymis, he said, who had formerly discovered it, and had brought him that lump of ore, which promised such immense treasures. Yet Keymis, who owned that he was within two hours' march of the place, refused, on the most absurd pretences, to take any effectual step towards finding it, and he returned immediately to Raleigh with the melancholy news of his son's death, and the ill success of the enterprise. Sensible to reproach, and dreading punishment for his behaviour, Keymis, in despair, retired into his cabin, and put an end to his own life.

The other adventurers now concluded that they were deceived by Raleigh, that he never had known of any such mine as he pretended to go in search of, that his intention had ever been to plunder St. Thomas, and having encouraged his company by the spoils of that place, to have thence proceeded to the invasion of the other Spanish settlements; that he expected to repair his ruined fortunes by such daring enterprises; and that he trusted to the money he should acquire for making his peace with England; or, if that view failed him, that he purposed to retire into some other country, where his riches would secure his retreat.

The small acquisitions gained by the sack of St. Thomas discouraged Raleigh's companions from entering into these views; though there were many circumstances in the treaty and late transactions between the nations which might invite them to engage in such a piratical war against the Spaniards.

When England made peace with Spain, the example of Henry IV was imitated, who, at the treaty of Vervins, finding a difficulty in adjusting all questions with regard to the Indian trade, had agreed to pass over that article in total silence. The Spaniards having, all along, published severe edicts against the intercourse of any European nation with their colonies, interpreted this silence in their own favour, and considered it as a tacit acquiescence of England in the established laws of Spain. The English, on the contrary, pretended that, as they had never been excluded by any treaty from commerce with any part of the King of Spain's dominions, it was still as lawful for them to trade with his settlements in either Indies, as with his European territories. In consequence of this ambiguity, many adventurers from England sailed to the Spanish Indies, and met with severe punishment when caught; as they, on the other hand, often stole, and, when superior in power, forced a trade with the inhabitants, and resisted, nay sometimes plundered, the Spanish governors. Violences of this nature, which had been carried to a great height on both sides, it was agreed to bury in total oblivion, because of the difficulty which was found in remedying them, upon any fixed principles.

But as there appeared a great difference between private adventurers in single ships, and a fleet acting under a royal commission, Raleigh's companions thought it safest to return immediately to England, and carry him along with them to answer for his conduct. It appears that he employed many artifices, first to engage them to attack the Spanish settlements, and, failing of that, to make his escape into France; but all these proving unsuccessful, he was delivered into the king's hands,

and strictly examined, as well as his fellow-adventurers, before the privy council. The council, upon inquiry, found no difficulty in pronouncing that the former suspicions, with regard to Raleigh's intentions, had been well grounded; that he had abused the king in the representations which he had made of his projected adventure, that, contrary to his instructions, he had acted in an offensive and hostile manner against his majesty's allies; and that he had wilfully burned and destroyed a town belonging to the King of Spain. He might have been tried, either by common law for this act of violence and piracy, or by martial law for breach of orders; but it was an established principle among lawyers,¹ that as he lay under an actual attainder for high-treason, he could not be brought to a new trial for any other crime. To satisfy, therefore, the court of Spain, which raised the loudest complaints against him, the king made use of that power which he had purposely reserved in his own hands, and signed the warrant for his execution upon his former sentence.²

¹ See this matter discussed in Bacon's Letters, published by Dr. Birch, p. 187.

² Some of the facts in this narrative, which seem to condemn Raleigh, are taken from the king's declaration, which being published by authority when the facts were recent, being extirpated from examinations before the privy council, and subscribed by six privy counsellors, among whom was Abbot, Archbishop of Canterbury, a public notice conspicuous to the court, must be allowed to have great weight, or rather to be of undoubted credit. Yet the most material facts are confirmed either by the nature and reason of the thing, or by Sir Walter's own apology and his letters. The king's declaration is in the *Hutchinson miscellany*, vol. iii., No. 2.

1. There seems to be an improbability that the Spaniards, who knew nothing of Raleigh's pretended mine, should have built a town in so wide a coast, within three miles of it. The chances are extremely against such a supposition: and it is more natural to think that the view of plundering the town led him thither, than that of working a mine. 2. No such mine is there found to this day. 3. Raleigh, in fact, found no mine, and in fact he plundered and burned a Spanish town. Is it not more probable, therefore, that the latter was his intention? How can the secrets of his breast be rendered so visible, as to counterpoise certain facts? 4. He confesses, in his letter to Lord Carew, that though he knew it, yet he concealed from the king the settlement of the Spaniards on that coast. Does not this fact alone render him sufficiently criminal? 5. His commission empowers him only to settle on a coast possessed by savage and barbarous inhabitants. Was it not the most evident breach of orders to disembark on a coast possessed by Spaniards? 6. His orders to Keymis, when he sent him up the river, are contained in his own apology, and from them it appears, that he knew (what was unavoidable) that the Spaniards would resist, and would oppose the English landing and taking possession of the country. His intentions, therefore, were hostile from the beginning. 7. Without provocation, and even when at a distance, he gave Keymis orders to dislodge the Spaniards from their own town. Could any enterprise be more hostile? And considering the Spaniards as allies to the nation, could any enterprise be more criminal? Was he not the aggressor, even though it should be true that the Spaniards fired upon his men at landing? It is said, he killed three or four hundred of them. Is that so light a matter? 8. In his letter to the king, and in his apology, he grounds his defence on former hostilities exercised by the Spaniards against other companies of Englishmen. These are accounted for by the ambiguity of the treaty between the nations. And it is plain that though these might possibly be reasons for the king's declaring war against that nation, they could never entitle Raleigh to declare war, and without any commission, or contrary to his commission, to invade the Spanish settlements. He pretends indeed that peace was never made with Spain in the Indies, a most absurd notion! The chief hurt which the Spaniards could receive from England was in the Indies, and they never would have made peace at all, if hostilities had been still to be continued on these settlements. By secret agreement, the English were still allowed to support the Dutch, even after the treaty of peace. If they had also been allowed to invade the Spanish settlements, the treaty had been a full peace to England, while the Spaniards were still exposed to the full effects of war. 9. If the claim to the property of that country, as first discoverers, was good, in opposition to present settlement, as Raleigh pretends, why was it not laid before the king with all its circumstances, and submitted to his judgment? 10. Raleigh's force is acknowledged by himself to have been insufficient to support him in the possession of St. Thomas against the power of which Spain was master on that coast; yet it was sufficient, as he owns, to take by surprise and plunder twenty towns. It was not, therefore, his design to settle, but to plunder. By these confessions, which I have here brought together, he plainly betrays himself. 11. Why did he not stay and work his

Raleigh, finding his fate inevitable, collected all his courage; and though he had formerly made uſe of many mean artifices, ſuch as feigning madneſs, ſickneſs, and a variety of diſeaſes, in order to pro-

mine, as at firſt he projected? He apprehended that the Spaniards would be upon him with a greater force. But before he left England, he knew that this muſt be the caſe, if he invaded any part of the Spaniſh colonies. His intention, therefore, never was to ſettle, but only to plunder. 12 He acknowledges that he knew neither the depth nor riches of the mine, but only that there was ſome ore there. Would he have ventured all his fortune and credit on ſo precarious a foundation? 13 Would the other adventurers, if made acquainted with this, have riſked everything to attend him? Ought a fleet to have been equipped for an experiment? Was there not plainly an impoſture in the management of this affair? 14 He ſays to Keymis, in his orders, 'Bring but a baſketful of ore, and it will ſatisfy the king that my project was not imaginary.' This was eaſily done from the Spaniſh mines, and he ſeems to have been chiefly diſpleaſed at Keymis for not attempting it. Such a view was a premeditated apology to cover his cheat. 15 The king in his declaration imputes it to Raleigh, that as ſoon as he was at ſea, he immediately fell into ſuch uncertain and doubtful talk of his mine, and ſaid, that it would be ſufficient if he brought home a baſketful of ore. From the circumſtance laſt-mentioned, it appears that this imputation was not without reaſon. 16 There are many other circumſtances of great weight in the king's declaration, that Raleigh, when he fell down to Plymouth, took no pioneers with him, which he always declared to be his intention, that he was nowiſe provided with inſtruments for working a mine, but had a ſufficient ſtock of wattle ſticks, that young Raleigh, in attacking the Spaniards, employed the words, which, in the nation, I have put in his mouth, that the mine was moveable, and ſhifted as he ſaw convenient, not to mention many other public facts which prove him to have been a highly criminal againſt his compariſons as well as his country. Howel in his letters ſays, 'that there lived in London, in 1645, an officer, a man of honour, who aſſerted, 'that he heard young Raleigh ſpeak theſe words,' vol. ii. letter 63. That is a time when there was no intereſt in maintaining ſuch a fact. 17 Raleigh's account of his firſt voyage to Guiana proves him to have been a man capable of the moſt extravagant credulity or moſt impudent impoſture. So ridiculous are the ſtores which he tells of the Indians' enormous empire in the miſt of Guiana, the rich city of El Dorado, or Manoa, two days journey in length, and ſhining with gold and ſilver, the old Peruvian prophecies in favour of the Engliſh, who, he ſays, were expreſſly named as the deliverers of that country, long before any Europe had ever touched there, the Amazons, a republic of women, and in general, the viſt and incredible riches which he ſaw on that continent, where nobody has yet found any treaſures. This whole narrative is a proof that he was extremely defective either in ſolid underſtanding, or morals, or both. No man's character indeed, ſeems ever to have been carried to ſuch extremes as Raleigh's, by the oppoſite paſſions of envy and pity. In the former part of his life, when he was active and lived in the world, and was probably beſt known, he was the object of univerſal hatred and deteſtation throughout England; in the latter part, when ſhut up in priſon, he became, much more unreaſonably, the object of great love and admiration.

As to the circumſtances of the narrative, that Raleigh's pardon was reſuſed him, that his former ſentence was purpoſely kept in force againſt him, and that he went out under theſe expreſs conditions, they may be ſupported by the following authorities. 1 The king's word, and that of ſix privy counſellors, who affirm it for fact. 2 The nature of the thing. If no ſuſpicion had been entertained of his intentions, a pardon would never have been reſuſed to a man, to whom authority was entruſted. 3 The words of the commiſſion itſelf, when he is ſimply ſtyled Sir Walter Raleigh and not faithful and well beloved, according to the uſual and never-failing ſtyle on ſuch occaſions. 4 In all the letters which he wrote home to Sir Ralph Winwood and to his own wife, he always conſiders himſelf as a perſon unpardoned and liable to the law. He ſeems, indeed, immediately upon the failure of his enterpriſe, to have become deſperate, and to have expected the fate which he met with.

It is pretended, that the king gave intelligence to the Spaniards of Raleigh's project, as if he had needed to lay a plot for deſtroying a man, whoſe life had been fourteen years, and ſtill was, in his power. The Spaniards wanted no other intelligence to be on their guard, than the known and public fact of Raleigh's attempt. And there was no reaſon why the king ſhould conceal from them the project of a ſettlement, which Raleigh pretended, and the king believed, to be entirely innocent.

The king's chief blame ſeems to have lain in his negligence, in allowing Raleigh to depart without a more exact ſcrutiny; but for this he apologiſes, by ſaying, that ſometimes were required for the good behaviour of Raleigh and all his associates in the enterpriſe, but that they gave in bonds for each other, a ſecurity which was not perceived till they had ſailed, and which increaſed the ſuſpicion of bad intentions.

Perhaps the king ought alſo to have granted Raleigh a pardon for his old offences, and to have tried him anew for his new offences. His puniſhment in that caſe would not only have been juſt, but conducted in a juſt and unexceptionable manner. But we are told that a ridiculous opinion at that time prevailed in the nation (and it is plainly ſuppoſed by Sir Walter in his apology), that, by treaty, we were allowed with the Spaniards, in the Indies, though

tract his examination, and procure his escape, he now resolved to act his part with bravery and resolution. "Tis a sharp remedy," he said, 'but a sure one for all ills,' when he felt the edge of the axe by which he was to be beheaded (Franklyn, p. 32). His harangue to the people was calm and eloquent, and he endeavoured to revenge himself, and to load his enemies with the public hatred, by strong asseverations of facts, which, to say the least, may be esteemed very doubtful¹. With the utmost indifference, he laid his head upon the block, and received the fatal blow. And in his death there appeared the same great, but ill-regulated mind, which, during his life, had displayed itself in all his conduct and behaviour.

No measure of James's reign was attended with more public dissatisfaction than the punishment (Oct. 29, A.D. 1618) of Sir Walter Raleigh. To execute a sentence which was originally so hard, which had been so long suspended, and which seemed to have been tacitly pardoned, by conferring on him a new trust and commission, was deemed an instance of cruelty and injustice. To sacrifice, to a concealed enemy of England, the life of the only man in the nation who had a high reputation for valour and military experience, was regarded as meanness and indiscretion; and the intimate connections which the king was now entering into with Spain, being universally distasteful, rendered this proof of his complaisance still more invidious and unpopular.

James had entertained an opinion, which was peculiar to himself, and which had been adopted by none of his predecessors, that any alliance, below that of a great king, was unworthy of a Prince of Wales, and he never would allow any princess but a daughter of France or Spain to be mentioned as a match for his son (Kennet, pp. 703, 748). This instance of pride, which really implies meanness, as if he could receive honour from any alliance, was so well known, that Spain had founded on it the hopes of governing, in the most important transactions, this monarch, so little celebrated for politics or prudence. During the life of Henry, the king of Spain had dropped some hints of bestowing on that prince his eldest daughter, whom he afterwards disposed of in marriage to the young king of France, Lewis XIII. At that time the views of the Spaniards were to engage James into a neutrality with regard to the succession of Cleves, which was disputed between the protestant and popish line (Rushworth, vol. i., p. 2), but the bait did not then take; and James, in consequence of his alliance with the Dutch, and with Henry IV. of France, marched (1610) 4000 men, under the command of Sir Edward Cecil, who joined these two powers, and put the Marquis of Brandenburg and the Palatine of Newbourg in possession of that duchy.

peace was made in Europe, and while that notion took place, no jury would have found Raleigh guilty. So that, had not the king punished him upon the old sentence, the Spaniards would have had a just cause of complaint against the king, sufficient to have produced a war, — at least to have destroyed all cordiality between the nations.

This explication I thought necessary, in order to clear up the story of Raleigh; which, though very obvious, is generally mistaken in so gross a manner, that I scarcely know its parallel in the English history.

¹ He asserted in the most solemn manner, that he had nowise contributed to Essex's death; but the last letter in Murden's Collection contains the strongest proof of the contrary.

Gondomar was, at this time, the Spanish ambassador in England: a man whose flattery was the more artful, because covered with the appearance of frankness and sincerity, whose politics were the more dangerous, because disguised under the mask of mirth and pleasantry. He now made offer of the second daughter of Spain to Prince Charles; and, that he might render the temptation irresistible to the necessitous monarch, he gave hopes of an immense fortune, which should attend the princess. The court of Spain, though determined to contract no alliance with a heretic (*La Boderie*, vol. ii, p. 30), entered into negotiations with James, which they artfully protracted, and, amidst every disappointment, they still redoubled his hopes of success (*Franklyn*, p. 71). The transactions in Germany, so important to the Austrian greatness, became every day a new motive for this duplicity of conduct.

In that great revolution of manners which happened during the sixteenth and the seventeenth centuries, the only nations who had the honourable, though often melancholy, advantage, of making an effort for their expiring privileges, were such as, together with the principles of civil liberty, were animated with a zeal for religious parties and opinions. Besides the irresistible force of standing armies, the European princes possessed this advantage, that they were descended from the ancient royal families; that they continued the same appellations of magistrates, the same appearance of civil government, and, resting themselves by all the forms of legal administration, could insensibly impose the yoke on their unguarded subjects. Even the German nations, who formerly broke the Roman chains, and restored liberty to mankind, now lost their own liberty, and saw with grief the absolute authority of their princes firmly established among them. In their circumstances, nothing but a pious zeal, which disregards all motives of human prudence, could have made them entertain hopes of preserving any longer those privileges which their ancestors, through so many ages, had transmitted to them.

As the house of Austria, throughout all her extensive dominions, had ever made religion the pretence for her usurpations, she now met with resistance from a like principle; and the catholic religion, as usual, had ranged itself on the side of monarchy, the protestant, on that of liberty. The States of Bohemia, having taken arms against the Emperor Matthias, continued their revolt against his successor Ferdinand, and claimed the observance of all the edicts enacted in favour of the new religion, together with the restoration of their ancient laws and constitution. Their neighbouring principalities,—Silesia, Moravia, Lusatia, Austria, even the kingdom of Hungary,—took part in the quarrel; and throughout all these populous and martial provinces, the spirit of discord and civil war had universally diffused itself (*Rush*, vol. i, pp. 7, 8).

Ferdinand II, who possessed more vigour and greater abilities, though not more lenity and moderation, than are usual with the Austrian princes (A.D. 1619), strongly armed himself for the recovery of his authority, and, besides employing the assistance of his subjects, who professed the ancient religion, he engaged on his side a powerful alliance of the neighbouring potentates. All the catholic princes of the empire had embraced his defence, even Saxony, the most powerful of the protestant; Poland had declared itself in his favour (*Rushworth*,

vol. 1, pp. 13, 14); and, above all, the Spanish monarch, deeming his own interest closely connected with that of the younger branch of his family, prepared powerful succours from Italy, and from the Low Countries, and he also advanced large sums for the support of Ferdinand and of the catholic religion.

The States of Bohemia, alarmed at these mighty preparations, began also to solicit foreign assistance, and, together with that support which they obtained from the evangelical union in Germany, they endeavoured to establish connections with greater princes. They cast their eyes on Frederic, elector Palatine. They considered that, besides commanding no despicable force of his own, he was son-in-law to the King of England, and nephew to Prince Maurice, whose authority was become almost absolute in the united provinces. They hoped that these princes, moved by the connections of blood, as well as by the tie of their common religion, would interest themselves in all the fortunes of Frederic, and would promote his greatness. They therefore made him a tender of their crown, which they considered as elective, and the young Palatine, stimulated by ambition, without consulting either James (Franklyn, p. 49) or Maurice, whose opposition he foresaw, immediately accepted the offer, and marched all his forces into Bohemia, in support of his new subjects.

The news of these events no sooner reached England, than the whole kingdom was on fire to engage in the quarrel. Scarcely was the ardour greater, with which all the states of Europe, in former ages, flew to rescue the Holy Land from the dominion of infidels. The nation was, as yet, sincerely attached to the blood of their monarchs, and they considered their connection with the Palatine, who had married a daughter of England, as very close and intimate. And when they heard of catholics carrying on wars and persecutions against protestants, they thought their own interest deeply concerned, and regarded their neutrality as a base desertion of the cause of God, and of His holy religion. In such a quarrel, they would gladly have marched to the opposite extremity of Europe, have plunged themselves into a chaos of German politics, and have expended all the blood and treasure of the nation, by maintaining a contest with the whole house of Austria, at the very time, and in the very place, in which it was the most potent, and almost irresistible.

But James, besides that his temper was too little enterprising for such vast undertakings, was restrained by another motive, which had a mighty influence over him. he refused to patronize the revolt of subjects against their sovereign. From the very first he denied to his son-in-law the title of King of Bohemia (Rushworth, vol. 1, pp. 12, 13). He forbade him to be prayed for in the churches under that appellation, and, though he owned that he had nowise examined the pretensions, privileges, and constitution of the revolted states (Franklyn, p. 48), so exalted was his idea of the rights of kings, that he concluded subjects must ever be in the wrong, when they stood in opposition to those who had acquired or assumed that majestic title. Thus, even in measures founded on true politics, James intermixed so many narrow prejudices, as diminished his authority, and exposed him to the imputation of weakness and of error.

Meanwhile, affairs everywhere were hastened to a crisis. Ferdinand levied a great force, under the command of the Duke of Bavaria and the Count of Bucquoy; and advanced upon his enemy in Bohemia. In the Low Countries, Spinola collected a veteran army of thirty thousand men. When Edmonds, the king's resident at Brussels, made remonstrances to the archduke Albert, he was answered, that the orders for this armament had been transmitted to Spinola from Madrid, and that he alone knew the secret destination of it. Spinola again told the minister, that his orders were still sealed; but, if Edmonds would accompany him in his march to Coblenz, he would there open them, and give him full satisfaction (Franklyn, p. 44; Rushworth, vol. i., p. 14). It was more easy to see his intentions, than to prevent their success. Almost at one time, it was known in England that Frederic, being defeated in the great and decisive battle of Prague, had fled with his family into Holland, and that Spinola had invaded the Palatinate, and, meeting with no resistance, except from some princes of the union, and from one English regiment of 2,400 men, commanded by the brave Sir Horace Vere (*Ibid*, pp. 42, 43, Rush., vol. i., p. 15; Kennett, p. 723), had, in a little time, reduced the greater part of that principality.

High were now the murmurs and complaints against the king's neutrality and inactive disposition. The happiness and tranquillity of their own country became distasteful to the English, when they reflected on the grievances and distresses of their protestant brethren in Germany. They considered not, that their interposition in the wars of the continent, though agreeable to religious zeal, could not, at that time, be justified by any sound maxims of politics, that, however exorbitant the Austrian greatness, the danger was still too distant to give any just alarm to England, that mighty resistance would yet be made by so many potent and warlike princes, and states in Germany, ere they would yield their neck to the yoke; that France, now engaged to contract a double alliance with the Austrian family, must necessarily be soon roused from her lethargy, and oppose the progress of so hated a rival; that in the farther advance of conquests, even the interests of the two branches of that ambitious family must interfere, and beget mutual jealousy and opposition; that a land-war, carried on at such a distance, would waste the blood and treasure of the English nation, without any hopes of success, that a sea-war, indeed, might be both safe and successful against Spain, but would not affect the enemy in such vital parts as to make them stop their career of success in Germany, and abandon all their acquisitions; and that the prospect of recovering the Palatinate being at present desperate, the affair was reduced to this simple question,—Whether peace and commerce with Spain, or the uncertain hopes of plunder and of conquest in the Indies, were preferable?—a question which, at the beginning of the king's reign, had already been decided, and perhaps with reason, in favour of the former advantages.

James might have defended his pacific measures by such plausible arguments but these, though the chief, seem not to have been the sole motives which swayed him. He had entertained the notion that, as his own justice and moderation had shone out so conspicuously through-out all these transactions, the whole house of Austria, though not

awed by the power of England, would willingly, from mere respect to his virtue, submit themselves to so equitable an arbitration. He flattered himself that, after he had formed an intimate connection with the Spanish monarch, by means of his son's marriage, the restitution of the Palatinate might be procured, from the motive alone of friendship and personal attachment. He perceived not, that his inactive virtue, the more it was extolled, the greater disregard was it exposed to. He was not sensible that the Spanish match was itself attended with such difficulties, that all his art of negotiation would scarcely be able to surmount them; much less, that this match could in good policy be depended on, as the means of procuring such extraordinary advantages. His unwarlike disposition, increased by age, rivetted him still faster in his errors, and determined him to seek the restoration of his son-in-law, by remonstrances and entreaties, by arguments and embassies, rather than by blood and violence. And the same defect of courage which held him in awe of foreign nations, made him likewise afraid of shocking the prejudices of his own subjects, and kept him from openly avowing the measures which he was determined to pursue. Or, perhaps, he hoped to turn these prejudices to account, and, by their means, engage his people to furnish him with supplies, of which their excessive frugality had hitherto made them so sparing and reserved (Franklyn, *pr* 47; Rushworth, vol 1, p 21).

He first tried the expedient of a benevolence or free-gift from individuals; pretending the urgency of the case, which would not admit of leisure for any other measure. But the jealousy of liberty was now roused, and the nation regarded these pretended benevolences as real extortions, contrary to law, and dangerous to freedom, however authorized by ancient precedent. A parliament was found to be the only resource which could furnish any large supplies, and writs were accordingly issued for summoning that great council of the nation.¹

¹ This parliament is remarkable for being the epoch in which was first regularly formed, though without acquiring these denominations, the parties of court and country, parties which have ever since continued, and which, while they oft threaten the total dissolution of the government, are the real cruses of its permanent life and vigour. In the ancient feudal constitution, of which the English partook with other European nations there was a mixture, not of authority and liberty, which we have since enjoyed in this island, and which now subsist uniformly together, but of authority and anarchy, which perpetually shocked with each other, and which took place alternately, according to circumstances were more or less favourable to either of them. A parliament composed of barbarians, summoned from their fields and forests, uninstructed by study, conversation, or travel, ignorant of their own laws or history, and unacquainted with the situation of all foreign nations, a parliament called precariously by the king, and dissolved at his pleasure, sitting a few days, debating a few points prepared for them, and whose members were impatient to return to their own castles, where alone they were great, and to the chase, which was their favourite amusement. Such a parliament was very little fitted to enter into a discussion of all the questions of government, and to share, in a regular manner the legal administration. The name, the authority of the king alone appeared in the common course of government, in extraordinary emergencies, he assumed, with still better reason, the sole direction, the imperfect and unformed laws left in everything, a latitude of interpretation, and when the ends pursued by the monarch were in general agreeable to his subjects, little scruple or jealousy was entertained with regard to the regularity of the means, during the reign of an able fortunate, or popular prince, no member of either house, much less of the lower, durst think of entering into a formed party, in opposition to the court. Since the dissolution of the parliament must, in a few days, leave him unprotected, to the vengeance of his sovereign, and to those stretches of prerogative, which were then so easily made, in order to punish an obnoxious subject. During an unpopular and weak reign, the current commonly ran so strong against the monarch, that none durst enlist themselves in the court party, or if the prince was able to engage any considerable barons on his side, the question was decided with arms in the field, not by debates or

62 *Political Action of the Princes of the House of Tudor.*

In this parliament (A.D. 1621, 16th June), there appeared, at first, nothing but duty and submission on the part of the commons; and they seemed determined to sacrifice everything, in order to maintain a

arguments in a senate or assembly. And upon the whole, the chief circumstance, which, during ancient times, retained the prince in any legal form of administration, was, that the sword, by the nature of the feudal tenures, remained still in the hands of his subjects; and this irregular and dangerous check had much more influence than the regular and methodical limits of the laws and constitution. As the nation could not be compelled, it was necessary that every public measure of consequence, particularly that of levying new taxes, should seem to be adopted by common consent and approbation.

The princes of the house of Tudor, partly by the vigour of their administration, partly by the concurrence of favourable circumstances, had been able to establish a more regular system of government; but they drew the constitution so near to despotism, as diminished extremely the authority of the parliament. That senate became, in a great degree, the organ of royal will and pleasure; opposition would have been regarded as a species of rebellion; and even religion, the most dangerous article in which innovations could be introduced, had admitted, in the course of a few years, four several alterations, from the authority alone of the sovereign. The parliament was not then the road to honour and preferment, the talents of popular intrigue and eloquence were uncultivated and unknown; and though that assembly still preserved authority, and retained the privilege of making laws and bestowing public money, the members acquired not, upon that account, either with prince or people, much more weight and consideration. When powers were necessary for conducting the machine of government, the king was accustomed, of himself, to assume. His own revenues supplied him with money sufficient for his ordinary expenses. And when extraordinary emergencies occurred, the prince needed not to solicit votes in parliament, either for making laws or imposing taxes, both of which were now become requisite for public interest and preservation.

The security of individuals, so necessary to the liberty of popular councils, was totally unknown in that age. And as no despotic princes, scarcely even the eastern tyrants, rule entirely without the concurrence of some assemblies, which supply both advice and authority; little but a mercenary force seems then to have been wanting towards the establishment of a simple monarchy in England. The militia, though more favourable to royal authority than the feudal institutions, was much inferior, in this respect to disciplined armies; and it did not preserve liberty to the people, it preserved, at least, the power, if ever the inclination should arise of recovering it.

But so low, at that time, was the inclination towards liberty, that Elizabeth, the first of that arbitrary line, herself no less arbitrary, was yet the most renowned and most popular of all the sovereigns that had filled the throne of England. It was a miracle for James to take the government as he found it, and to pursue her measure, which he heard so much applauded; nor did his penetration extend so far as to discover, that neither his circumstances nor his character could support so extensive an authority. His narrow revenues and little frugality began now to render him dependent on his people, even in the ordinary course of administration; their increasing knowledge discovered to them that advantage, which they had obtained, and made them sensible of the inestimable value of civil liberty. And as he possessed too little dignity to command respect, and too much good nature to oppose force, a new spirit discovered itself every day in the parliament. And a party, watched of a free constitution, was regularly formed in the house of commons.

But notwithstanding these advantages acquired to liberty, so extensive was royal authority, and so firmly established in all its parts, that it is probable the patriots of that age would have despaired of ever resisting it, had they not been stimulated by religious motives, which inspire a courage unsurmountable by any human obstacle.

The same alliance, which has ever prevailed between kingly power and ecclesiastical authority, was now fully established in England; and while the prince sustained the clergy in suppressing schismatics and innovators, the clergy, in return, maintained the doctrine of an unreserved submission and obedience to the civil magistrate. The priors of the church in England, so kindly to monarchy, forwarded the confederacy, its admission to episcopal jurisdiction, its attachment to ceremonies, to order, and to a decent pomp and splendour of worship; and in a word, its affinity to the same superstition of the catholics, rather than to the wild fanaticism of the puritans.

On the other hand, opposition to the church, and the persecutions under which they laboured, were sufficient to throw the puritans into the country party, and to best political principles little favourable to the high pretensions of the sovereign. The spirit, too, of enthusiasm, bold, daring, and uncontrolled, strongly disposed their minds to adopt republican tenets, and inclined them to arrogate, in their actions and conduct, the same liberty which they assumed in their religious flights and exercises. Ever since the first origin of that sect, through the whole reign of Elizabeth as well as of James, puritanical principles had been understood in a double sense, and expressed the opinions favourable both to political and to religious liberty. And as the court, in order to discredit all parliamentary opposition, affixed the denomination of puritans to its antagonists, the religious puritans willingly adopted this title, which was so advantageous to them, and which confounded their cause

good correspondence with their prince. They would allow no mention to be made of the new customs or impositions, which had been so eagerly disputed in the former parliament (Journ Dec. 5, 1621). The imprisonment of the members of that parliament was here, by some, complained of; but, by the authority of the grave and more prudent part of the house, that grievance was buried in oblivion (Ibid., Feb. 12, 16, 1620). And, being informed that the king had remitted several considerable sums to the Palatine, the commons, without a negative, voted him two subsidies (Ibid., Feb. 16, 1620), and that, too, at the very beginning of the session, contrary to the maxims frequently adopted by their predecessors.

Afterwards, they proceeded, but in a very temperate manner, to the examination of grievances. They found, that patents had been granted to Sir Giles Mompesson and Sir Francis Michel, for licensing inns and ale-houses; that great sums of money had been exacted, under pretext of these licences, and that such innkeepers as presumed to continue their business without satisfying the rapacity of the patentees, had been severely punished by fine, imprisonment, and vexatious prosecutions.

The same persons had also procured a patent, which they shared with Sir Edward Villiers, brother to Buckingham, for the sole making of gold and silver thread and lace, and had obtained very extraordinary powers for preventing any rivalry in these manufactures: they were armed with authority to search for all goods which might interfere with their patent; and even to punish, at their own will and discretion, the makers, importers, and vendors of such commodities. Many had grievously suffered by this exorbitant jurisdiction, and the lace which had been manufactured by the patentees was universally found to be adulterated, and to be composed more of copper than of the precious metals.

These grievances the commons represented to the king, and they met with a very gracious and very cordial reception. He seemed even thankful for the information given him, and declared himself ashamed that such abuses, unknowingly to him, had crept into his administration. 'I assure you,' said he, 'had I before heard these things complained of, I would have done the office of a just king, and out of parliament have punished them as severely, and peradventure more, than you now intend to do' (Franklyn, p. 51, Rushworth, vol. 1, p. 25). A sentence was passed for the punishment of Michel and Mompesson (Franklyn, p. 52, Rushworth, vol. 1, p. 27). It was executed on the former. The latter broke prison and escaped. Villiers was, at that time, sent purposely on a foreign employment, and his guilt being less enormous, or less apparent, than that of the others, he was the more easily protected by the credit of his brother, Buckingham.¹

with that of the patriots or country party. Thus were the civil and ecclesiastical factions regularly formed, and the humour of the nation, during that age, running strongly towards fanatical extravagances, the spirit of civil liberty gradually revived from its lethargy, and by means of its religious associate, from which it reaped more advantage than honour, it secretly enlarged its dominion over the greater part of the kingdom.

[This Note was in the first editions a part of the text but the author omitted it, in order to avoid, as much as possible, the style of dissertation in the body of his history. The passage, however, contains views so important, that he thought it might be admitted as a note.]

¹ Yelverton, the attorney-general, was accused by the commons of drawing the patents for

64 *Trial and Punishment of Bacon, Viscount St. Albans.*

Encouraged by this success, the commons carried their scrutiny, and still with a respectful hand, into other abuses of importance. The great seal was at that time in the hands of the celebrated Bacon, created Viscount St. Albans; a man universally admired for the greatness of his genius, and beloved for the courteousness and humanity of his behaviour.¹ He was the great ornament of his age and nation; and naught was wanting to render him the ornament of human nature itself, but that strength of mind which might check his intemperate desire of preferment, that could add nothing to his dignity, and might restrain his profuse inclination to expense, that could be requisite neither for his honour nor entertainment. His want of economy, and his indulgence to servants, had involved him in necessities, and in order to supply his prodigality, he had been tempted to take bribes, by the title of presents, and that in a very open manner, from suitors in chancery. It appears, that it had been usual for former chancellors to take presents; and it is pretended, that Bacon, who followed the same dangerous practice, had still, in the seat of justice, preserved the integrity of a judge, and had given just decrees against those very persons from whom he had received the wages of iniquity. Complaints rose the louder on that account, and at last reached the house of commons, who sent up an impeachment against him to the peers. The chancellor, conscious of guilt, deprecated the vengeance of his judges, and endeavoured, by a general avowal, to escape the confusion of a stricter inquiry. The lords insisted on a particular confession of all his corruptions. He acknowledged twenty-eight articles; and was sentenced to pay a fine of 40,000*l.*, to be imprisoned in the Tower during the king's pleasure, to be for ever incapable of any office, place, or employment, and never again to sit in parliament or come within the verge of the court.

This dreadful sentence—deadly to a man of nice sensibility to honour—he survived five years; and, being released in a little time from the tower, his genius, yet unbroken, supported itself amidst involved circumstances and a depressed spirit, and shone out in literary productions, which have made his guilt or weaknesses to be forgotten or overlooked by posterity. In consideration of his great merit, the king remitted his fine, as well as all the other parts of his sentence, conferred on him a large pension of 1800*l.* a year, and employed every expedient to alleviate the weight of his age and misfortunes. And that great philosopher, at last, acknowledged with regret that he had too long neglected the true ambition of a fine genius, and, by plunging into business and affairs, which require much less capacity, but greater firmness of mind, than the pursuits of learning, had exposed himself to such grievous calamities.¹

The commons had entertained the idea, that they were the great

these monopolies, and for supporting them. He apologised for himself, that he was forced by Buckingham, and that he supposed it to be the king's pleasure. The lords were so offended at these articles of defence, though necessary to the attorney-general, that they fined him 20,000*l.* to the king, 5000*l.* to the duke. The fines, however, were afterwards remitted. Franklyn, p. 55, Rushworth, vol. 1, pp. 31, 32, etc.

¹ It is thought, that appeals from chancery to the house of peers first came into practice while Bacon held the great seal. Appeals, under the form of writs of error, had long before run against the courts of law. Blackstone's Comm., vol. iii, p. 454.

patrons of the people, and that the redress of all grievances must proceed from them; and to this principle they were chiefly beholden for the regard and consideration of the public. In the execution of this office, they now kept their ears open to complaints of every kind, and they carried their researches into many grievances, which, though of no great importance, could not be touched on without sensibly affecting the king and his ministers. The prerogative seemed every moment to be invaded, the king's authority in every article was disputed, and James, who was willing to correct the abuses of his power, would not submit to have his power itself questioned and denied. After the house, therefore, had sitten nearly six months, and had, as yet, brought no considerable business to a full conclusion, the king resolved, under pretence of the advanced season, to interrupt their proceedings, and he sent them word, that he was determined in a little time, to adjourn them till next winter. The commons made application to the lords, and desired them to join in a petition for delaying the adjournment, which was refused by the upper house. The king regarded this project of a joint petition as an attempt to force him from his measures: he thanked the peers for their refusal to concur in it, and told them that if it were their desire, he would delay the adjournment, but would not so far comply with the request of the lower house (Rushworth, vol. 1 p. 35). And thus, in these great national affairs, the same peevishness which, in private altercations, often raises a quarrel from the smallest beginnings, produced a mutual coldness and disgust between the king and the commons.

During the recess of parliament, the king used every measure to render himself popular with the nation, and to appease the rising ill-humour of their representatives. He had voluntarily offered the parliament to circumscribe his own prerogative, and to abrogate for the future his power of granting monopolies. He now recalled all the patents of that kind, and redressed every article of grievance, to the number of thirty-seven, which had ever been complained of in the house of commons (Ibid, vol. 1. p. 36, Kennet, p. 733). But he gained not the end which he proposed. The disgust, which had appeared at parting, could not so suddenly be dispersed. He had likewise been so imprudent as to commit to prison Sir Edwin Sandys (Journ. Dec. 1, 1621), without any known cause, besides his activity and vigour in discharging his duty as member of parliament. And above all, the transactions in Germany were sufficient, when joined to the king's cautions, negotiations, and delays, to inflame that jealousy of honour and religion which prevailed throughout the nation¹. This summer, the ban of the empire had been published against the elector Palatine; and the execution of it was committed to the Duke of Bavaria (Frank-

¹ To show to what degree the nation was inflamed with regard to the Palatinate, there occurs a remarkable story this session. One Floyd, a prisoner in the Fleet, a catholic, had dropped some expressions, in private conversation, as if he were pleased with the misfortunes of the Palatine and his wife. The commons were in a flame, and pretending to be a court of judicature and of record, proceeded to condemn him to a severe punishment. The house of lords checked this encroachment, and, what was extraordinary, considering the present humour of the lower house, the latter acquiesced in the sentiments of the peers. This is almost the only pretension of the English commons, in which they have not prevailed. Happily for the nation, they have been successful in almost all their other claims. Parl. Hist., vol. v., pp. 428, 429, etc.; Journ., May 4, 8, 12, 1621.

lyn, p 73) The Upper Palatinate was, in a little time, conquered by that prince; and measures were taken in the empire for bestowing on him the electoral dignity, of which the Palatine was despoiled. Frederick now lived with his numerous family, in poverty and distress, either in Holland or at Sedan, with his uncle the Duke of Bouillon. And throughout all the new conquests, in both the Palatinates, as well as in Bohemia, Austria, and Lusatia, the progress of the Austrian arms was attended with rigours and severities, exercised against the professors of the reformed religion.

The zeal of the commons immediately moved them, upon their assembling (Nov 14), to take all these transactions into consideration. They framed a remonstrance, which they intended to carry to the king. They represented, that the enormous growth of the Austrian power threatened the liberties of Europe; that the progress of the catholic religion in England boded the most melancholy apprehensions, lest it should again acquire an ascendant in the kingdom; that the indulgence of his majesty towards the professors of that religion had encouraged their insolence and temerity; that the uncontrolled conquests, made by the Austrian family in Germany, raised mighty expectations in the English papists; but, above all, that the prospect of the Spanish match elevated them so far as to hope for an entire toleration, if not the final re-establishment of their religion. The commons, therefore, entreated his majesty, that he would immediately undertake the defence of the Palatine, and maintain it by force of arms, that he would turn his sword against Spain, whose armies and treasures were the chief support of the catholic interest in Europe; that he would enter into no negotiation for the marriage of his son but with a protestant princess; that the children of popish recusants should be taken from their parents, and be committed to the care of protestant teachers and schoolmasters, and that the fines and confiscations, to which the catholics were by law liable, should be levied with the utmost severity.¹

By this bold step, unprecedented in England for many years, and scarcely ever heard of in peaceable times, the commons attacked at once all the king's favourite maxims of government, his cautious and pacific measures, his lenity towards the Romish religion, and his attachment to the Spanish alliance, from which he promised himself such mighty advantages. But what most disgusted him was, then seeming invasion of his prerogative, and then pretending, under colour of advice, to direct his conduct in such points as had ever been acknowledged to belong solely to the management and direction of the sovereign. He was, at that time, absent at Newmarket, but as soon as he heard of the intended remonstrance of the commons, he wrote a letter to the speaker, in which he sharply rebuked the house for openly debating matters far above their reach and capacity, and he strictly forbade them to meddle with anything that regarded his government, or deep matters of state, and especially not to touch on his son's marriage with the daughter of Spain, nor to attack the honour of that king, or any other of his friends and confederates. In order the more to intimidate them, he mentioned the imprisonment of Sir

¹ F. A. K. l. y. n. p. 56, 59, Rudworth, vol. 1, p. 40, p. 1; Kennet, p. 77

Edwin Sandys; and, though he denied that the confinement of that member had been owing to any offence committed in the house, he plainly told them, that he thought himself fully entitled to punish every misdemeanour in parliament, as well during its sitting as after its dissolution; and that he intended, thenceforward, to chastise any man whose insolent behaviour there should minister occasion of offence.¹

This violent letter, in which the king, though he here imitated former precedents, may be thought not to have acted altogether on the defensive, had the effect which might naturally have been expected from it. the commons were inflamed, not terrified. Secure of their own popularity, and of the bent of the nation towards a war with the catholics abroad, and the persecution of popery at home, they little dreaded the menaces of a prince, who was unsupported by military force, and whose gentle temper would, of itself, so soon disarm his severity. In a new remonstrance, therefore, they still insisted on their former remonstrance and advice, and they maintained, though in respectful terms, that they were entitled to interpose with their counsel in all matters of government, that to possess entire freedom of speech in their debates on public business, was their ancient and undoubted right, and an inheritance transmitted to them from their ancestors, and that, if any member abused this liberty, it belonged to the house alone, who were witnesses of his offence, to inflict a proper censure upon him.²

So vigorous an answer was nowise calculated to appease the king. It is said, when the approach of the committee who were to present it was notified to him, he ordered twelve chairs to be brought; for that there were so many kings a-coming (Kennet, p. 43). His answer was prompt and sharp. He told the house, that their remonstrance was more like a denunciation of war than an address of dutiful subjects; that their pretension to enquire into all state affairs, without exception, was such a plenipotence as none of their ancestors, even during the reign of the weakest princes, had ever pretended to; that public transactions depended on a complication of views and intelligence, with which they were entirely unacquainted, that they could not better show their wisdom, as well as duty, than by keeping within their proper sphere;³ and that, in any business which depended on his prerogative, they had no title to interpose with their advice, except when he was pleased to desire it. And he concluded with these memorable words: 'And though we cannot allow of your stile, in mentioning your ancient and undoubted right and inheritance, but would rather have wished that ye had said, that your privileges were derived from the grace and permission of our ancestors and us (for the most of them grew from precedents, which shows rather a toleration than inheritance); yet we are pleased to give you our loyal assurance, that as long as you contain yourselves within the limits of your duty, we will be as careful to maintain and preserve your lawful liberties, and privileges as ever any of our predecessors were, nay, as to preserve our own royal prerogative.'⁴

¹ Franklyn, p. 60, Rushworth, vol. 1, p. 43, Kennet, p. 741.

² Franklyn, p. 60, Rushworth, vol. 1, p. 44, Kennet, p. 741.

³ 'Ne sutor ultra crepidam'. This expression is imagined to be insolent and disobliging, but it was a Latin proverb familiarly used on all occasions.

⁴ Franklyn, pp. 62, 63, 64, Rushworth, vol. 1, pp. 46, 47, etc. Kennet, p. 743.

This open pretension of the king's naturally gave great alarm to the house of commons. They saw their title to every privilege, if not plainly denied, yet considered at least as precarious. It might be forfeited by abuse, and they had already abused it. They thought proper, therefore, immediately to oppose pretension to pretension. They framed (Dec 18, A.D. 1621) a protestation, in which they repeated all their former claims for freedom of speech, and an unbounded authority to interpose with their advice and counsel. And they asserted, 'That the liberties, franchises, privileges, and jurisdiction of parliament, are the ancient and undoubted birthright and inheritance of the subjects of England.'¹

The king, informed of these increasing heats and jealousies in the house, hurried to town. He sent immediately for the journals of the commons, and, with his own hand, before the council, he tore out this protestation (Journ Dec 18, 1621), and ordered his reasons to be inserted in the council-book. He was doubly displeased, he said with the protestation of the lower house, on account of the manner of framing it, as well as of the matter which it contained. It was tumultuously voted, at a late hour, and in a thin house; and it was expressed in such general and ambiguous terms, as might serve for a foundation to the most enormous claims, and to the most unwarrantable usurpations upon his prerogative.²

The meeting of the house might have proved dangerous after so violent a breach. It was no longer possible, while men were in such a temper, to finish any business. The king, therefore, prorogued the parliament, and soon after dissolved it by proclamation; in which he also made an apology to the public for his whole conduct.

The leading members of the house, Sir Edward Coke and Sir Robert Philips, were committed to the Tower; Selden, Pym, and Mallory, to other prisons. As a lighter punishment, Sir Dudley Digges, Sir Thomas Crew, Sir Nathaniel Rich, Sir James Perrot, joined in commission with others, were sent to Ireland, in order to execute some business (Franklyn, p. 66; Rushworth, vol. 1, p. 55). The king at that time enjoyed, at least exercised, the prerogative of

¹ This protestation is so remarkable, that it may not be improper to give it in its own words: 'The commons here assembled in parliament, being justly occasioned therunto, concerning sundry liberties, franchises, and privileges, of parliament, among others here mentioned, do make this protestation following: That the liberties, franchises, and jurisdiction of parliament are the ancient and undoubted birthright and inheritance of the subjects of England, and that the urgent and audacious affairs concerning the king, state, and defence of the realm, and of the Church of England, and the maintenance and making of laws, and redress of mischiefs and grievances, which duly happen within this realm, are proper subjects and matter of council and debate in parliament, and that in the handling and proceeding of these businesses, every member of the house of parliament hath, and, of right, ought to have, freedom of speech to propound, treat, reason, and bring to conclusion the same, and that the commons in parliament have like liberty, and freedom to treat of these matters, in such order as in their judgment shall seem fittest, and that every member of the said house hath like freedom from all impeachment, imprisonment, and molestation (other than by censure of the house itself) for or concerning any speaking, reasoning, or declining of any matter or matters touching the parliament or parliament business. And that if any of the said members be complained of and questioned for anything done or said in parliament, the same is to be shown to the king by the advice and assent of all the commons assembled in parliament, before the king give credence to any private information.' Franklyn, p. 65; Rushworth, vol. 1, p. 53; Kennet, p. 747; Coke, p. 77.

² Franklyn, p. 65. ³ Franklyn, p. 66; Rushworth, vol. 1, p. 55.

employing any man, even without his consent, in any branch of public service

Sir John Savile, a powerful man in the house of commons, and a zealous opponent of the court, was made comptroller of the household, a privy counsellor, and soon after a baron (Kennet, p 749). This event is memorable, as being the first instance, perhaps, in the whole history of England, of any king's advancing a man on account of parliamentary interest, and of opposition to his measures. However irregular this practice, it will be regarded by political reasoners, as one of the most early and most infallible symptoms of a regular established liberty.

The king having thus, with so rash and indiscreet a hand, torn off that sacred veil which had hitherto covered the English constitution, and which threw an obscurity upon it, so advantageous to royal prerogative, every man began to indulge himself in political reasonings and inquiries, and the same factions which commenced in parliament were propagated throughout the nation. In vain did James, by reiterated proclamations, forbid the discoursing of state affairs.¹ Such proclamations, if they had any effect, served rather to inflame the curiosity of the public. And in every company or society, the late transactions became the subject of argument and debate.

All history, said the partisans of the court, as well as the history of England, justify the king's position with regard to the origin of popular privileges; and every reasonable man must allow, that as monarchy is the most simple form of government, it must first have occurred to rude and uninstructed mankind. The other complicated and artificial additions were the successive invention of sovereigns and legislators, or if they were obtruded on the prince by seditious subjects, their origin must appear, on that very account, still more precarious and unfavourable. In England the authority of the king in all the exterior forms of government, and in the common style of law, appears totally absolute and sovereign; nor does the real spirit of the constitution, as it has ever discovered itself in practice, fall much short of these appearances. The parliament is created by his will, by his will it is dissolved. It is his will alone, though at the desire of both houses, which gives authority to laws. To all foreign nations, the majesty of the monarch seems to merit sole attention and regard. And no subject, who has exposed himself to royal indignation, can hope to live with safety in the kingdom; nor can he even leave it, according to law, without the consent of his master. If a magistrate, environed with such power and splendour, should consider his authority as sacred, and regard himself as the anointed of heaven, his pretensions may bear a very favourable construction. Or allowing them to be merely pious frauds, we need not be surprised, that the same stratagem which was practised by Minos, Numa, and the most celebrated legislators of antiquity, should now, in these restless and inquisitive times, be employed by the king of England. Subjects are not raised above

¹ Franklyn, p. 56. Rushworth, vol. 1, pp. 21, 36, 55. The king also, in imitation of his predecessors, gave rules to preachers. Franklyn, p. 70. The pulpit was at that time much more dangerous than the press. Few people could read, and still fewer were in the practice of reading.

that quality, though assembled in parliament. The same humble respect and deference is still due to their prince. Though he indulges them in the privilege of laying before him their domestic grievances, with which they are supposed to be best acquainted, this warrants not their bold intrusion into every province of government. And, to all judicious examiners, it must appear 'That the lines of duty are as much transgressed by a more independent and less respectful exercise of 'acknowledged powers, as by the usurpation of such as are new and 'unusual.'

The lovers of liberty throughout the nation reasoned after a different manner. It is in vain, said they, that the king traces up the English government to its first origin, in order to represent the privileges of parliament as dependent and precarious, prescription, and the practice of so many ages, must long ere this time, have given a sanction to these assemblies, even though they have been derived from an origin no more dignified than that which he assigns them. If the written records of the English nation, as asserted, represent parliaments to have arisen from the consent of monarchs, the principles of human nature, when we trace government a step higher, must show us that monarchs themselves owe all their authority to the voluntary submission of the people. But in fact no age can be shown, when the English government was altogether an unmixed monarchy; and if the privileges of the nation have, at any period, been overpowered by violent irruptions of foreign force or domestic usurpation; the generous spirit of the people has ever seized the first opportunity of re-establishing the ancient government and constitution. Though in the style of the laws, and in the usual forms of administration, royal authority may be represented as sacred and supreme, whatever is essential to the exercise of sovereign and legislative power, must still be regarded as equally divine and inviolable. Or, if any distinction be made in this respect, the preference is surely due to those national councils, by whose interposition the exorbitancies of tyrannical power are restrained, and that sacred liberty is preserved, which heroic spirits, in all ages, have deemed more precious than life itself. Nor is it sufficient to say, that the mild and equitable administration of James affords little occasion, or no occasion, of complaint. How moderate soever the exercise of his prerogative, how exact soever his observance of the laws and constitution, 'If he founds his authority on arbitrary 'and dangerous principles, it is requisite to watch him with the same 'care, and to oppose him with the same vigour, as if he had indulged 'himself in all the excesses of cruelty and tyranny.'

Amidst these disputes, the wise and moderate in the nation endeavoured to preserve, as much as possible, an equitable neutrality between the opposite parties, and the more they reflected on the course of public affairs, the greater difficulty they found in fixing just sentiments with regard to them. On the one hand, they regarded the very use of parties as a happy prognostic of the establishment of liberty; nor could they ever expect to enjoy, in a mixed government, so invaluable a blessing, without suffering that inconvenience, which, in such governments, has ever attended it. But when they considered, on the other hand, the necessary aims and pursuits of both parties, they were struck

with apprehension of the consequences, and could discover no feasible plan of accommodation between them. From long practice, the crown was now possessed of so exorbitant a prerogative, that it was not sufficient for liberty to remain on the defensive, or endeavour to secure the little ground which was left her; it was become necessary to carry on an offensive war, and to circumscribe, within more narrow, as well as more exact bounds, the authority of the sovereign. Upon such provocation it could not but happen that the prince, however just and moderate, would endeavour to repress his opponents; and as he stood upon the very brink of arbitrary power, it was to be feared that he would, hastily and unknowingly, pass those limits, which were not precisely marked by the constitution. The turbulent government of England, ever fluctuating between privilege and prerogative, would afford a variety of precedents, which might be pleaded on both sides. In such delicate questions, the people must be divided; the arms of the state were still in their hands; a civil war must ensue; a civil war, where no party, or both parties, would justly bear the blame, and where the good and virtuous would scarcely know what vows to form, were it not that liberty, so necessary to the perfection of human society, would be sufficient to bias their affections towards the side of its defenders.

CHAPTER XLIX.

Negotiations with regard to the marriage and the Palatinate—Character of Buckingham—Prince's journey to Spain—Marriage treaty broken—A parliament—Return of Bristol—Rupture with Spain—Treaty with France—Mansfeldt's expedition—Death of the king—His character.

To wrest the Palatinate from the hands of the emperor and the Duke of Bavaria, must always have been regarded as a difficult task for the power of England, conducted by so unwelcome a prince as James, it was plainly impossible, while the breach subsisted between him and the commons. The king's negotiations, therefore, had they been managed with ever so great dexterity, must now carry less weight with them; and it was easy to elude all his applications. When Lord Digby, his ambassador to the emperor, had desired a cessation of hostilities, he was referred to the Duke of Bavaria, who commanded the Austrian armies. The Duke of Bavaria told him that it was entirely superfluous to form any treaty for that purpose. 'Hostilities are already ceased,' said he; 'and I doubt not but I shall be able to prevent their revival by keeping firm possession of the Palatinate, till a final agreement shall be concluded between the contending parties;' (Franklyn, p. 57; Rushworth, vol. 1. p. 38). Notwithstanding this insult, James endeavoured to resume with the emperor a treaty of accommodation, and he opened the negotiations at Brussels, under the mediation of Archduke Albert; and, after his death, which happened about this time, under that of the Infanta: when the conferences were

entered upon, it was found, that the powers of these princes to determine in the controversy were not sufficient or satisfactory. Schwartzembourg, the Imperial minister, was expected at London; and it was hoped that he would bring more ample authority. His commission referred entirely to the negotiation at Brussels. It was not difficult for the king to perceive that his applications were neglected by the emperor, but as he had no choice of any other expedient, and it seemed the interest of his son-in-law to keep alive his pretensions, he was still content to follow Ferdinand through all his shifts and evasions. Nor was he entirely discouraged, even when the Imperial diet at Ratisbon, by the influence, or rather authority of the emperor, through contrary to the protestation of Saxony, and of all the protestant princes and cities, had transferred the electoral dignity from the Palatine to the Duke of Bavaria.

Meanwhile, the efforts made by Frederic for the recovery of his dominions, were vigorous. Three armies were levied in Germany by his authority, under three commanders,—Duke Christian of Brunswick, the Prince of Baden-Douilach, and Count Mansfeldt. The two former generals were defeated by Count Tilly and the Imperialists: the third, though much inferior in force to his enemies, still maintained the war; but with no equal supplies of money either from the Palatine or the King of England. It was chiefly by pillage and free quarters in the Palatinate, that he subsisted his army. As the Austrians were regularly paid, they were kept in more exact discipline; and James justly became apprehensive lest so unequal a contest, besides ravaging the Palatine's hereditary dominions, would end in the total alienation of the people's affections from their ancient sovereign, by whom they were plundered, and in an attachment to their new masters, by whom they were protected (Parl. Hist. vol v p 484). He persuaded, therefore, his son-in-law to disarm, under colour of duty and submission to the emperor; and accordingly, Mansfeldt was dismissed from the Palatine's service; and that famous general withdrew his army into the Low Countries, and there received a commission from the States of the United Provinces.

To show how little account was made of James's negotiations abroad, there is a pleasantly mentioned by all historians, which, for that reason, shall have place here. In a farce, acted at Brussels, a courier was introduced carrying the doleful news that the Palatinate would soon be wrested from the house of Austria; so powerful were the succours, which, from all quarters, were hastening to the relief of the despoiled elector. The king of Denmark had agreed to contribute to his assistance a hundred thousand pickled herrings, the Dutch a hundred thousand butter-boxes, and the king of England a hundred thousand ambassadors. On other occasions, he was painted with a scabbard, but without a sword; or with a sword, which nobody could draw, though several were pulling at it (Kennet, p. 749).

It was not from his negotiations with the emperor or the Duke of Bavaria, that James expected any success in his project of restoring the Palatine. His eyes were entirely turned towards Spain; and if he could effect his son's marriage with the Infanta, he doubted not but that, after so intimate a conjunction, this other point could easily be obtained. The negotiations of that court being commonly dilatory, it

was not easy for a prince of so little penetration in business, to distinguish, whether the difficulties, which occurred, were real or affected, and he was surprised, after negotiating five years on so simple a demand, that he was not more advanced than at the beginning. A dispensation from Rome was requisite for the marriage of the Infanta with a protestant prince, and the King of Spain, having undertaken to procure that dispensation, had thereby acquired the means of retarding at pleasure, or of forwarding the marriage, and at the same time of concealing entirely his artifices from the court of England.

In order to remove all obstacles, James despatched Digby, soon after created Earl of Bristol, as his ambassador to Philip IV, who had lately succeeded his father in the crown of Spain. He secretly employed Gage as his agent at Rome; and finding that the difference of religion was the principal, if not the sole difficulty, which retarded the marriage, he resolved to soften that objection as much as possible. He issued public orders for discharging all popish recusants who were imprisoned, and it was daily apprehended, that he would forbid for the future the execution of the penal laws enacted against them. For this step, so opposite to the rigid spirit of his subjects, he took care to apologise, and he even endeavoured to ascribe it to his great zeal for the reformed religion. He had been making applications, he said, to all foreign princes for some indulgence to the distressed protestants, and he was still answered by objections derived from the severity of the English laws against catholics (Franklyn, p. 69; Rushworth, vol. 1, p. 63). It might indeed occur to him, that, if the extremity of religious zeal were ever to abate among Christian sects, one of them must begin, and nothing would be more honourable for England, than to have led the way in sentiments so wise and moderate.

Not only the religious puritans murmured at this tolerating measure of the king. The lovers of civil liberty were alarmed at so important an exertion of prerogative. But, among other dangerous articles of authority, the kings of England were at that time possessed of the dispensing power,—at least, were in the constant practice of exercising it. Besides, though the royal prerogative in civil matters was then extensive, the princes, during some late reigns, had been accustomed to assume a still greater in ecclesiastical. And the king failed not to represent the toleration of catholics as a measure entirely of that nature.

By James's concession in favour of the catholics, he attained his end. The same religious motives which had hitherto rendered the court of Madrid insincere in all the steps taken with regard to the marriage, were now the chief cause of promoting it. By its means, it was there hoped, the English catholics would for the future enjoy ease and indulgence; and the Infanta would be the happy instrument of procuring to the church some tranquillity, after the many severe persecutions which it had hitherto undergone. The Earl of Bristol, a minister of vigilance and penetration, and who had formerly opposed all alliance with catholics (Rushworth, vol. 1, p. 292), was now fully convinced of the sincerity of Spain; and he was ready to congratulate the king on the entire completion of his views and projects (*Ibid*, p. 69). A daughter of Spain, whom he represents as extremely accomplished, would soon, he said, arrive in England, and bring with her an immense fortune of

2,000,000 of pieces of eight, or 600,000*l.* sterling, a sum four times greater than Spain had ever before given with any princess, and almost equal to all the money which the parliament, during the whole course of this reign, had hitherto granted to the king. But what was of more importance to James's honour and happiness, Bristol considered this match as an infallible prognostic of the Palatine's restoration; nor would Philip, he thought, ever have bestowed his sister and so large a fortune, under the prospect of entering next day into a war with England. So exact was his intelligence, that the most secret counsels of the Spaniards, he boasts, had never escaped him (Rushworth, vol. 1, p. 272), and he found that they had all along considered the marriage of the Infanta and the restitution of the Palatinate as measures closely connected, or altogether inseparable.¹ However little calculated James's character to extort so vast a concession; however improper the measures which he had pursued for attaining that end; the ambassador could not withstand the plain evidence of facts, by which Philip now demonstrated his sincerity. Perhaps, too, like a wise man, he considered that reasons of state, which are supposed solely to influence the councils of monarchs, are not always the motives which there predominate, that the milder views of gratitude, honour, friendship, generosity, are frequently able, among princes as well as private persons, to counterbalance these selfish considerations; that the justice and moderation of James had been so conspicuous in all these transactions, his reliance on Spain, his confidence in her friendship,—that he had at last obtained the cordial alliance of that nation, so celebrated for honour and fidelity. Or, if politics must still be supposed the ruling motive of all public measures, the maritime power of England was so considerable, and the Spanish dominions so divided, as might well induce the council of Philip to think that a sincere friendship with the masters of the sea could not be purchased by too great concessions (Franklyn, p. 72). And as James, during so many years, had been allured and seduced by hopes and protestations, his people enraged by delays and disappointments, it would probably occur, that there was now no medium left between the most inveterate hatred and the most intimate alliance between the nations. Not to mention that, as a new spirit began about this time to animate the councils of France, the friendship of England became every day more necessary to the greatness and security of the Spanish monarch.

All measures being, therefore, agreed on between the parties, naught was wanting but the dispensation from Rome, which might be considered as a mere formality (Rushworth, vol. 1, p. 66). The king, justified by success, now exulted in his pacific counsels, and boasted of his superior sagacity and penetration; when all these flattering prospects were blasted by the temerity of a man whom he had fondly exalted from a private condition to be the bane of himself, of his family, and of his people.

Ever since the fall of Somerset, Buckingham had governed, with an

¹ We find by private letters between Philip IV. and the Count Olivarez, shown by the latter to Buckingham, that the marriage and the restitution of the Palatinate were always considered by the court of Spain as inseparable. Franklyn, pp. 71, 72, Rushworth, vol. 1, pp. 71, 260, 299, 300, Parl. Hist., vol. vi., p. 66.

uncontrolled sway, both the court and nation, and could James's eyes have been opened, he had now full opportunity of observing how unfit his favourite was for the high station to which he was raised. Some accomplishments of a courtier he possessed. Of every talent of a minister he was utterly destitute. Headstrong in his passions, and incapable equally of prudence and of dissimulation. Sincere from violence rather than candour, expensive from profusion more than generosity. A warm friend, a furious enemy, but without any choice or discernment in either. With these qualities he had early and quickly mounted to the highest rank, and partook at once of the insolence which attends a fortune newly acquired, and the impetuosity which belongs to persons born in high stations, and unacquainted with opposition.

Among those who had experienced the arrogance of this overgrown favourite, the Prince of Wales himself had not been entirely spared; and a great coldness, if not an enmity, had, for that reason, taken place between them. Buckingham, desirous of an opportunity which might connect him with the prince, and overcome his aversion, and at the same time envious of the great credit acquired by Bristol in the Spanish negotiation, bethought himself of an expedient by which he might at once gratify both these inclinations. He represented to Charles, that persons of his exalted station were peculiarly unfortunate in their marriage, the chief circumstance in life, and commonly received into their arms a bride, unknown to them, to whom they were unknown; not endeared by sympathy, not obliged by service, won by treaties alone, by negotiations, by political interest. That, however, accomplished the Infanta, she must still consider herself as a melancholy victim of state, and could not but think with aversion of that day when she was to enter the bed of a stranger, and, passing into a foreign country and a new family, bid adieu for ever to her father's house and to her native land. That it was in the prince's power to soften all these rigours, and lay such an obligation on her, as would attach the most indifferent temper, as would warm the coldest affections. That his journey to Madrid would be an unexpected gallantry, which would equal all the fictions of Spanish romance, and, suiting the amorous and enterprising character of that nation, must immediately introduce him to the princess under the agreeable character of a devoted lover and daring adventurer. That the negotiations with regard to the Palatine which had hitherto languished in the hands of ministers, would quickly be terminated by so illustrious an agent, seconded by the mediation and entreaties of the grateful Infanta. That Spanish generosity, moved by that unexampled trust and confidence, would make concessions beyond what could be expected from political views and considerations. And that he would quickly return to the king with the glory of having re-established the unhappy Palatine, by the same enterprise which procured him the affections and the person of the Spanish princess (Clarendon, vol. 1, pp. 11, 12)

The mind of the young prince, replete with candour, was inflamed by these generous and romantic ideas suggested by Buckingham. He agreed to make application to the king for his approbation. They chose the moment of his kindest and most jovial humour, and, more

by the earnestness which they expressed than by the force of their reasons, they obtained a hasty and unguarded consent to their undertaking. And having engaged his promise to keep their purpose secret, they left him, in order to make preparations for the journey.

No sooner was the king alone, than his temper, more cautious than sanguine, suggested very different views of the matter, and represented every difficulty and danger which could occur. He reflected that, however the world might pardon this sally of youth in the prince, they would never forgive himself, who, at his years, and after his experience, could entrust his only son, the heir of his crown, the prop of his age, to the discretion of foreigners, without so much as providing the frail security of a safe conduct in his favour. That if the Spanish monarch were sincere in his professions, a few months must finish the treaty of marriage, and bring the Infanta into England, if he were not sincere, the folly was still more egregious of committing the prince into his hands. That Philip, when possessed of so invaluable a pledge, might well rise in his demands, and impose harder conditions of treaty; and that the temerity of the enterprise was so apparent, that the event, how prosperous soever, could not justify it; and if disastrous, it would render himself infamous to his people, and ridiculous to all posterity (Clarendon, vol. i, p. 14).

Tormented with these reflections, as soon as the prince and Buckingham returned for their despatches, he informed them of all the reasons which had determined him to change his resolution; and he begged them to desist from so foolish an adventure. The prince received the disappointment with sorrowful submission and silent tears. Buckingham presumed to speak in an imperious tone, which he had ever experienced to be prevalent over his too easy master. He told the king, that nobody for the future would believe anything he said, when he retracted so soon the promise so solemnly given; that he plainly discerned this change of resolution to proceed from another breach of his word, in communicating the matter to some rascal, who had furnished him with those pitiful reasons which he had alleged, and he doubted not but he should hereafter know who his counsellor had been; and that, if he receded from what he had promised, it would be such a disobligation to the prince, who had now set his heart upon the journey, after his majesty's approbation, that he could never forget it, nor forgive any man who had been the cause of it (*Ibid*, vol. i, p. 16).

The king, with great earnestness, fortified by many oaths, made his apology by denying that he had communicated the matter to any; and finding himself assailed, as well by the boisterous importunities of Buckingham, as by the warm entreaties of his son, whose applications had hitherto, on other occasions, been always dutiful, never earnest; he had again the weakness to assent to their purposed journey. It was agreed that Sir Francis Cottington alone, the prince's secretary, and Endymion Porter, gentleman of his bed-chamber, should accompany them, and the former being at that time in the ante-chamber, he was immediately called in by the king's orders.

James told Cottington, that he had always been an honest man, and therefore he was now to trust him in an affair of the highest importance, which he was not, upon his life, to disclose to any man whatever.

‘Cottington,’ added he, ‘here is Baby Charles and Stenny,’ (these ridiculous appellations he usually gave to the prince and Buckingham), ‘who have a great mind to go post into Spain, and fetch home the Infanta : they will have but two more in their company, and have chosen you for one. What think you of the journey?’ Sir Francis, who was a prudent man, and had resided some years in Spain as the king’s agent, was struck with all the obvious objections to such an enterprise, and scrupled not to declare them. The king threw himself upon his bed, and cried ‘I told you this before ;’ and fell into a new passion and new lamentations, complaining that he was undone, and should lose Baby Charles.

The prince showed by his countenance that he was extremely dissatisfied with Cottington’s discourse, but Buckingham broke into an open passion against him. The king, he told him, asked him only of the journey, and of the manner of travelling, particulars of which he might be a competent judge, having gone the road so often by post ; but that he, without being called to it, had the presumption to give his advice upon matters of state and against his master, which he should repent as long as he lived. A thousand other reproaches he added, which put the poor king into a new agony in behalf of a servant who, he foresaw, would suffer for answering him honestly. Upon which he said with some emotion, ‘Nay, by God, Stenny, you are much to blame for using him so.’ he answered me directly to the question which I asked him, and very honestly and wisely ; and yet, you know, he said no more than I told you before he was called in.’ However, after all this passion on both sides, James renewed his consent ; and proper directions were given for the journey. Nor was he now at any loss to discover that the whole intrigue was originally contrived by Buckingham, as well as pursued violently by his spirit and impetuosity.

These circumstances, which so well characterize the persons, seem to have been related by Cottington to Lord Clarendon, from whom they are here transcribed ; and though minute, are not undeserving of a place in history.

The prince and Buckingham, with their two attendants, and Sir Richard Graham, master of horse to Buckingham, passed disguised and undiscovered through France, and they even ventured into a court ball at Paris, where Charles saw the princess Henrietta, whom he afterwards espoused, and who was at that time in the bloom of youth and beauty. In eleven days after their departure from London, they (Mar. 7, A.D. 1622) arrived at Madrid, and surprised everybody by a step so unusual among great princes. The Spanish monarch immediately paid Charles a visit, expressed the utmost gratitude for the confidence reposed in him, and made warm protestations of a correspondent confidence and friendship. By the most studied civilities, he showed the respect which he bore to his royal guest. He gave him a golden key, which opened all his apartments, that the prince might, without any introduction, have access to him at all hours ; he took the left hand of him on every occasion, except in the apartments assigned to Charles ; for there, he said, the prince was at home. Charles was introduced into the palace with the same pomp and ceremony that attends the kings of Spain on their coronation ; the council received public orders

to obey him as the king himself: Olivarez too, though a grandee of Spain, who has the right of being covered before his own king, would not put on his hat in the prince's presence (Franklyn, p. 73). All the prisons of Spain were thrown open, and all the prisoners received their freedom, as if the event, the most honourable and most fortunate, had happened to the monarchy (Idem, p. 74); and every sumptuary law with regard to apparel was suspended during Charles's residence in Spain. The Infanta, however, was only shown to her lover in public, the Spanish ideas of decency being so strict, as not to allow of any farther intercourse, till the arrival of the dispensation (Rushworth, vol. 1 p. 77).

The point of honour was carried so far by that generous people, that no attempt was made, on account of the advantage which they had acquired, of imposing any harder conditions of treaty; their pious zeal only prompted them, on one occasion, to desire more concessions in the religious articles; but, upon the opposition of Bristol, accompanied with some reproaches, they immediately desisted. The pope, however, hearing of the prince's arrival in Madrid, tacked some new clauses to the dispensation (Idem, vol. 1 p. 84); and it became necessary to transmit the articles to London, that the king might ratify them. This treaty, which was made public, consisted of several articles, chiefly regarding the exercise of the catholic religion by the Infanta and her household. Nothing could reasonably be found fault with, except one article, in which the king promised, that the children should be educated by the princess, till ten years of age. This condition could not be insisted on, but with a view of seasoning their minds with catholic principles, and though so tender an age seemed a sufficient security against theological prejudices, yet the same reason which made the pope insert that article, should have induced the king to reject it.

Besides the public treaty, there were separate articles, privately sworn to by the king: in which he promised to suspend the penal laws enacted against catholics, to procure a repeal of them in parliament, and to grant a toleration for the exercise of the catholic religion in private houses.¹ Great murmurs, we may believe, would have arisen against these articles, had they been made known to the public; since we find it to have been imputed as an enormous crime to the prince, that, having received about this time a very civil letter from the pope, he was induced to return a very civil answer (Rushworth, vol. 1, p. 82; Franklyn, p. 77).

Meanwhile Gregory XV., who granted the dispensation, died, and Urban VIII. was chosen in his place. Upon this event, the nuncio refused to deliver the dispensation till it should be renewed by Urban; and that crafty pontiff delayed sending a new dispensation, in hopes that during the prince's residence in Spain, some expedient might be fallen upon to effect his conversion. The king of England, as well as the prince, became impatient. On the first hint, Charles obtained permission to return; and Philip graced his departure with all the circumstances of elaborate civility and respect which had attended his reception. He even erected a pillar on the spot where they took leave

¹ Franklyn, p. 61. Rushworth, vol. 1, p. 82. Kennet, p. 762.

of each other, as a monument of mutual friendship, and the prince, having sworn to the observance of all the articles, entered on his journey, and embarked on board the English fleet at St. Andero.

The character of Charles, composed of decency, reserve, modesty, sobriety—virtues so agreeable to the manners of the Spaniards, the unparalleled confidence which he had reposed in their nation, the romantic gallantry which he had practised towards their princess; all these circumstances, joined to his youth and advantageous figure, had endeared him to the whole court of Madrid, and had impressed the most favourable ideas of him (Franklyn, p. 80, Rushworth, vol. 1. p. 103). But, in the same proportion that the prince was beloved and esteemed, was Buckingham despised and hated. His behaviour, composed of English familiarity and French vivacity; his sallies of passion, his indecent freedoms with the prince, his dissolute pleasures, his arrogant, impetuous temper, which he neither could, nor cared to disguise,—qualities like these, could, most of them, be esteemed no where, but to the Spaniards were the objects of peculiar aversion (Ibid, vol. 1. p. 101). They could not conceal their surprise that such a youth could intrude into a negotiation now conducted to a period by so accomplished a minister as Bistol, and could assume to himself all the merit of it. They lamented the Infanta's fate, who must be approached by a man whose temerity seemed to respect no laws, Divine or human (Clarendon, vol. 1., p. 36). And when they observed, that he had the impudence to insult the Condé Duke of Olivarez, their prime minister, every one who was ambitious of paying court to the Spanish, became desirous of showing a contempt for the English favourite.

The Duke of Buckingham told Olivarez, that his own attachment to the Spanish nation and to the king of Spain was extreme; that he would contribute to every measure which could cement the friendship between England and them; and that his peculiar ambition would be to facilitate the prince's marriage with the Infanta. 'But,' he added, with a sincerity equally insolent and indiscreet, 'with regard to you, sir, in particular, you must not consider me as your friend, but must ever expect from me all possible enmity and opposition.' The Condé duke replied, with a becoming dignity, that he very willingly accepted of what was proffered him; and on these terms the favourites parted (Rushworth, vol. 1., p. 103, Clarendon, vol. 1., p. 37).

Buckingham, sensible how odious he was become to the Spaniards, and dreading the influence which that nation would naturally acquire after the arrival of the Infanta, resolved to employ all his credit in order to prevent the marriage. By what arguments he could engage the prince to offer such an insult to the Spanish nation, from whom he had met with such generous treatment, by what colours he could disguise the ingratitude and imprudence of such a measure, these are totally unknown to us. We may only conjecture that the many unavoidable causes of delay, which had so long prevented the arrival of the dispensation, had afforded to Buckingham a pretence for throwing on the Spaniards the imputation of insincerity in the whole treaty. It also appears that his impetuous and domineering character had acquired, what it ever after maintained, a total ascendant over the gentle

and modest temper of Charles; and when the prince left Madrid, he was firmly determined, notwithstanding all his professions, to break off the treaty with Spain.

It is not likely that Buckingham prevailed so easily with James to abandon a project which, during so many years, had been the object of all his wishes, and which he had now unexpectedly conducted to a happy period (Hacket's *Life of Williams*). A rupture with Spain, the loss of 2,000,000*l.*, were prospects little agreeable to this pacific and indigent monarch. But finding his only son bent against a match which had always been opposed by his people and his parliament, he yielded to difficulties which he had not courage or strength of mind sufficient to overcome. The prince therefore, and Buckingham, on their arrival at London, assumed entirely the direction of the negotiation, and it was their business to seek for pretences by which they could give a colour to their intended breach of treaty.

Though the restitution of the Palatinate had ever been considered by James as a natural or necessary consequence of the Spanish alliance, he had always forbidden his ministers to insist on it as a preliminary article to the conclusion of the marriage treaty. He considered that this principality was now in the hands of the emperor and the Duke of Bavaria, and that it was no longer in the King of Spain's power, by a single stroke of his pen, to restore it to its ancient master. The strict alliance of Spain with these princes would engage Philip, he thought, to soften so disagreeable a demand by every art of negotiation; and many articles must of necessity be adjusted, before such an important point could be effected. It was sufficient, in James's opinion, if the sincerity of the Spanish court could, for the present, be ascertained, and degrading farther delays of the marriage, so long wished for, he was resolved to trust the Palatine's full restoration to the event of future counsels and deliberations (*Parliament History*, vol. vi., p. 57).

This whole system of negotiation Buckingham now reversed; and he overturned every supposition upon which the treaty had hitherto been conducted. After many fruitless artifices were employed to delay or prevent the espousals, Bristol received positive orders not to deliver the proxy which had been left in his hands, or to finish the marriage, till security were given for the full restitution of the Palatinate (Rushworth, vol. i., p. 105; Kennet, p. 776). Philip understood this language. He had been acquainted with the disgust received by Buckingham; and deeming him a man capable of sacrificing to his own ungovernable passions the greatest interests of his master and of his country, he had expected that the unbounded credit of that favourite would be employed to embroil the two nations. Determined, however, to throw the blame of the rupture entirely on the English, he delivered into Bristol's hand a written promise, by which he bound himself to procure the restoration of the Palatine, either by persuasion, or by every other possible means; and when he found that this concession gave no satisfaction, he ordered the Infanta to lay aside the title of Princess of Wales, which she bore after the arrival of the dispensation from Rome, and to drop the study of the English language (Franklyn, p. 80; Rushworth, vol. i. p. 112). And thinking that such

rash counsels, as now governed the court of England, would not stop at the breach of the marriage treaty, he ordered preparations for war immediately to be made throughout all his dominions (Rushworth, vol. 1, p. 114).

Thus James, having by means inexplicable from the ordinary rules of politics, conducted so near an honourable period the marriage of his son, and the restoration of his son-in-law, failed at last of his purpose, by means equally unaccountable.

But though the expedients already used by Buckingham were sufficiently inglorious, both for himself and for the nation, it was necessary for him, ere he could fully effect his purpose, to employ artifices still more dishonourable.

The king, having broken with Spain, was obliged to concert new measures, and without the assistance of parliament no effectual step of any kind could be taken. The benevolence, which during the interval had been rigorously exacted, for recovering the Palatinate, though levied for so popular an end, had procured to the king less money than ill-will from his subjects.¹ Whatever discouragements, therefore, he might receive from his ill agreement with former parliaments, there was a necessity of summoning once more this assembly, and it might be hoped that the Spanish alliance, which gave such umbrage, being abandoned, the commons would now be better satisfied with the king's administration. In his speech (Feb. 29th, A. D. 1624) to the houses, James dropped some hints of his causes of complaint against Spain, and he graciously condescended to ask the advice of parliament, which he had ever before rejected, with regard to the conduct of so important an affair as his son's marriage.² Buckingham delivered to a committee of lords and commons, a long narrative, which he pretended to be true and complete, of every step taken in the negotiations with Philip, but partly by the suppression of some facts, partly by the false colouring laid on others, this narrative was calculated entirely to mislead the parliament, and to throw on the court of Spain the reproach of artifice and insincerity. He said that, after many years' negotiation, the king found not himself any nearer his purpose, and that Bristol had never brought the treaty beyond general professions and declarations; that the prince, doubting the good intentions of Spain, resolved at last to take a journey to Madrid, and put the matter to the utmost trial, that he there found such artificial dealing as made him conclude all the steps taken towards the marriage to be false and deceitful; that the restitution of the Palatinate, which had ever been regarded by the king as an essential preliminary, was not seriously intended by Spain; and that, after enduring much bad usage, the prince was obliged to return to England, without any hopes, either of obtaining the Infanta, or of restoring the Elector Palatine.³

¹ To show by what violent measures benevolences were usually raised, Johnstone tells us, in his *Rerum Britannicarum Historia*, that Barnes, a citizen of London, was the first who refused to contribute anything, upon which the treasurer sent him word, that he must immediately prepare himself to carry, by post, a despatch into Ireland. The citizen was glad to make his peace, by paying a 100*l.*; and no one durst afterwards refuse the benevolence required. Coke, p. 80.

² Franklyn, p. 79. Rushworth, vol. i., p. 115. Kennet, p. 778.

³ Franklyn, pp. 89, 90, 91, etc.; Rushworth, vol. 1., pp. 119, 120, etc.; *Parl. Hist.*, vol. vi., pp. 20, 21, etc.

82 *The Spanish Match. Buckingham and Prince Charles.*

This narrative, which, considering the importance of the occasion, and the solemnity of that assembly to which it was delivered, deserves great blame, was yet vouched for truth by the Prince of Wales, who was present, and the king himself lent it indirectly his authority, by telling the parliament that it was by his orders Buckingham laid the whole affair before them. The conduct of these princes it is difficult fully to excuse. It is in vain to plead the youth and inexperience of Charles, unless his inexperience and youth, as is probable,¹ if not certain, really led him into error, and made him swallow all the falsities of Buckingham. And though the king was here hurried from his own measures by the impetuosity of others, nothing should have induced him to prostitute his character, and seem to vouch the impostures, at least false colourings, of his favourite, of which he had so good reason to entertain a suspicion.²

Buckingham's narrative, however artfully disguised, contained so many contradictory circumstances, as were sufficient to open the eyes of all reasonable men, but it concurred so well with the passions and prejudices of the parliament, that no scruple was made of immediately adopting it (Parl Hist, vol. vi, p. 75). Charmed with having obtained at length the opportunity, so long wished for, of going to war with papists, they little thought of future consequences, but immediately advised the king to break off both treaties with Spain, as well that which regarded the marriage, as that for the restitution of the Palatinate.³ The people, ever greedy of war till they suffer by it, displayed their triumph at these violent measures by public bonfires and rejoicings, and by insults on the Spanish ministers. Buckingham was now the favourite of the public and of the parliament. Sir Edward Coke, in the House of Commons, called him the saviour of the nation (Clarendon, vol. 1, p. 6). Every place resounded with his praises. And he himself, intoxicated by a popularity which he enjoyed so little time, and which he so ill deserved, violated all duty to his indulgent master, and entered into cabals with the puritanical members, who had ever opposed the royal authority. He even encouraged schemes for abolishing the order of bishops, and selling the dean and chapter lands, in order to defray the expenses of a Spanish war. And the king, though he still entertained projects for temporising, and for forming an accommodation with Spain, was so borne down by the torrent of popular prejudices, conducted and increased by Buckingham, that he was at last obliged, in a speech to parliament, to declare in favour of hostile measures, if they would engage to support him.⁴ Doubts of their sincerity in this respect, — doubts which the event

¹ The moment the prince embarked at St. Ander's, he said to those about him, that it was folly in the Spaniards to use him so ill, and allow him to depart — a proof that the duke had made him believe they were insincere in the aim of the marriage and the Palatinate. For, as to his reception in other respects, it had been altogether unexceptionable. Besides, had not the prince believed the Spaniards to be sincere, he had no reason to quarrel with them, though Buckingham had. It appears, therefore, that Charles himself must have been deceived. The multiplied delays of the dispensation, though they arose from accidents, afforded Buckingham a plausible pretext for charging the Spaniards with insincerity.

² It must, however, be confessed, that the king afterwards warned the house not to take Buckingham's narrative for his, though it was laid before them by his order. Parl Hist., vol. vi, p. 104. James was probably a hint to have been carried so far by his favourite.

³ Franklin, p. 98. Rushworth, vol. 1, p. 13. Parl Hist., vol. vi, p. 103.

⁴ Franklin, pp. 94, 95. Rushworth, vol. 1, pp. 139, 140.

showed not to be ill grounded, had probably been one cause of his former pacific and dilatory measures

In his speech on this occasion, the king began with lamenting his own unhappiness, that, having so long valued himself on the epithet of the pacific monarch, he should now, in his old age, be obliged to exchange the blessings of peace for the inevitable calamities of war. He represented to them the immense and continued expense requisite for military armaments, and, besides supplies from time to time as they should become necessary, he demanded a vote of six subsidies and twelve-fifteenths, as a proper stock before the commencement of hostilities. He told them of his intolerable debts, chiefly contracted by the sums remitted to the Palatine,¹ but he added, that he did not insist on any supply for his own relief, and that it was sufficient for him, if the honour and security of the public were provided for. To remove all suspicion, he, who had ever strenuously maintained his prerogative, and who had even extended it into some points esteemed doubtful, now made an imprudent concession, of which the consequences might have proved fatal to royal authority; he voluntarily offered, that the money voted should be paid to a committee of parliament, and should be issued by them, without being entrusted to his management (Rushworth, vol. 1, p. 137). The commons willingly accepted of this concession, so unusual in an English monarch; they voted him only three subsidies and three fifteenths (less than 300,000*l.*), and they took no notice of the complaints which he made of his own wants and necessities.

Advantage was also taken of the present good agreement between the king and parliament, in order to pass the bill against monopolies, which had formerly been encouraged by the king, but which had failed by the rupture between him and the last house of commons. This bill was conceived in such terms as to render it merely declaratory; and all monopolies were condemned as contrary to law and to the known liberties of the people. It was there supposed, that every subject of England had entire power to dispose of his own actions, provided he did no injury to any of his fellow-subjects, and that no prerogative of the king, no power of any magistrate, nothing but the authority alone of laws, could restrain that unlimited freedom. The full prosecution of this noble principle into all its natural consequences, has at last, through many contests, produced that singular and happy government which we enjoy at present.²

¹ Among the particulars, he mentions a sum of 80,000*l.* borrowed from the King of Denmark. In a former speech to the parliament, he told them that he had expended 500,000*l.* in the cause of the Palatine, besides the voluntary contribution given him by the people. Franklyn p. 50. But what is more extraordinary, the treasurer, in order to show his own good services, boasts to the parliament that, by his contrivance 60,000*l.* had been saved in the article of exchange in the sums remitted to the Palatine. This seems a great sum, nor is it easy to conceive whence the king could procure such vast sums as would require a sum so considerable to be paid in exchange. From the whole, however, it appears, that the king had been far from neglecting the interests of his daughter and son-in-law, and had even gone far beyond what his narrow revenue could afford.

² How little this principle had prevailed, during any former period of the English government, particularly during the last reign, which was certainly not so perfect a model of liberty as most writers would represent it, will easily appear from many passages in the history of that reign. But the ideas of men were much changed, during about twenty years of a gentle and peaceful administration. The commons, though James, of himself, had recalled all

The House of Commons also collaborated, by a new precedent, the important power of impeachment, which, two years before, they had exercised in the case of Chancellor Bacon, and which had lain dormant for near two centuries, except when they served as instruments of royal vengeance. The Earl of Middlesex had been raised, by Buckingham's interest, from the rank of a London merchant, to be treasurer of England, and, by his activity and address, seemed not unworthy of that preferment. But, as he incurred the displeasure of his patron, by scrupling or refusing some demands of money, during the prince's residence in Spain, that favourite vowed revenge, and employed all his credit among the commons to procure an impeachment of the treasurer. The king was extremely dissatisfied with this measure, and prophesied to the prince and duke, that they would live to have their fill of parliamentary prosecutions (Clarendon, vol 1, p. 223). In a speech to the parliament, he endeavoured to apologise for Middlesex, and to soften the accusation against him (Parl Hist, vol vi, p 19). The charge, however, was still maintained by the commons, and the treasurer was found guilty by the peers, though the misdemeanours proved against him were neither numerous nor important. The accepting of two presents of five hundred pounds a-piece, for passing two patents, was the article of greatest weight. His sentence was, to be fined 50,000*l.* for the king's use, and to suffer all the other penalties formerly inflicted upon Bacon. The fine was afterwards remitted by the prince, when he mounted the throne.

This session an address was also made, very disagreeable to the king, craving the severe execution of the laws against catholics. His answer was gracious and condescending (Franklyn, pp 101, 102), though he declared against persecution, as being an improper measure for the suppression of any religion, according to the received maxim, 'That the blood of the martyrs was the seed of the church.' He also condemned an entire indulgence of the catholics; and seemed to represent a middle course, as the most humane and most politic. He went so far as even to affirm, with an oath, that he never had entertained any thoughts of granting a toleration to these religionists (Franklyn, p. 87). The liberty of exercising their worship in private houses, which he had secretly agreed to in the Spanish treaty, did not appear to him deserving that name, and it was probably by means of this explication, he thought that he had saved his honour. And as Buckingham, in his narrative (Parl. Hist, vol. vi, p 37), confessed, that the king had agreed to a temporary suspension of the penal laws against the catholics, which he distinguished from a toleration, a term at that time extremely odious, James naturally deemed his meaning to be sufficiently explained, and feared not any reproach of falsehood or duplicity, on

patents of monopolies, were not contented without a law against them and a declaratory law too, which was gaining a great point, and establishing principles very favourable to liberty, but they were extremely grateful, when Elizabeth, upon petition (after having once refused their requests), recalled a few of the most oppressive patents, and employed some soothing expressions towards them.

The parliament had surely reason, when they confessed, in the seventh of James, that he allowed them more freedom of debate than ever was indulged by any of his predecessors. His indulgence in this particular, joined to his easy temper, was probably one cause of the great power assumed by the commons. Monsieur de la Boderie, in his *Dispatches*, vol. i, p 449, mentions the liberty of speech in the house of commons as a new practice.

account of this asseveration. After all these transactions, the parliament was (May 29) prorogued by the king, who let fall some hints, though in gentle terms, of the sense which he entertained of their unkindness in not supplying his necessities (Franklyn, p. 103).

James, unable to resist so strong a combination as that of his people, his parliament, his son, and his favourite, had been compelled to embrace measures, for which, from temper as well as judgment, he had ever entertained a most settled aversion. Though he dissembled his resentment, he began to estrange himself from Buckingham, to whom he ascribed all those violent counsels, and whom he considered as the author, both of the prince's journey to Spain, and of the breach of the marriage treaty. The arrival of Bristol he impatiently longed for, and it was by the assistance of that minister, whose wisdom he respected, and whose views he approved, that he hoped in time to extricate himself from his present difficulties.

During the prince's abode in Spain, that able negotiator had ever opposed, though unsuccessfully, to the impetuous measures suggested by Buckingham, his own wise and well-tempered counsels. After Charles's departure, he still, upon the first appearance of a change of resolution, interposed his advice, and strenuously insisted on the sincerity of the Spaniards in the conduct of the treaty, as well as the advantages which England must reap from the completion of it. Enraged to find that his successful labours should be rendered abortive by the levities and caprices of an insolent minion, he would understand no hints, and nothing but express orders from his master could engage him to make that demand, which, he was sensible, must put a final period to the treaty. He was not therefore surprised to hear that Buckingham had declared himself his open enemy, and, on all occasions, had thrown out many violent reflections against him.

Nothing could be of greater consequence to Buckingham than to keep Bristol at a distance both from the king and the parliament; lest the power of truth, enforced by so well-informed a speaker, should open scenes which were but suspected by the former, and of which the latter had as yet entertained no manner of jealousy. He applied, therefore, to James, whose weakness, disguised to himself under the appearance of finesse and dissimulation, was now become absolutely incurable. A warrant for sending Bristol to the Tower was issued immediately upon his arrival in England (Rushworth, vol. 1, p. 145), and though he was soon released from confinement, yet orders were carried him from the king, to retire to his country seat, and to abstain from all attendance in parliament. He obeyed; but loudly demanded an opportunity of justifying himself, and of laying his whole conduct before his master. On all occasions he protested his innocence, and threw on his enemy the blame of every miscarriage. Buckingham and, at his instigation, the prince, declared that they would be reconciled to Bristol, if he would but acknowledge his errors and ill-conduct; but the spirited nobleman, jealous of his honour, refused to buy favour at so high a price. James had the equity to say that the insisting on that condition was a strain of unexampled tyranny, but Buckingham scrupled not to assert, with his usual presumption, that neither the

king, the prince, nor himself, were as yet satisfied of Bristol's innocence (*Ibid.*, vol. 1., p. 259).

While the attachment of the prince to Buckingham, while the timidity of James, or the shame of changing his favourite, kept the whole court in awe, the Spanish ambassador, Inoiosa, endeavoured to open the king's eyes, and to cure his fears, by instilling greater fears into him. He privately slipped into his hand a paper, and gave him a signal to read it alone. He there told him that he was as much a prisoner at London as ever Francis I was at Madrid; that the prince and Buckingham had conspired together, and had the whole court at their devotion, that cabals among the popular leaders in parliament were carrying on to the extreme prejudice of his authority; that the project was to confine him to some of his hunting seats, and to commit the whole administration to Charles, and that it was necessary for him, by one vigorous effort, to vindicate his authority, and to punish those who had so long and so much abused his friendship and beneficence¹.

What credit James gave to this representation does not appear. He only discovered some faint symptoms, which he instantly retracted, of dissatisfaction with Buckingham. All his public measures, and all the alliances into which he entered, were founded on the system of enmity to the Austrian family, and of war to be carried on for the recovery of the Palatinate.

The States of the United Provinces were, at this time, governed by Maurice, and that aspiring prince, sensible that his credit would languish during peace, had, on the expiration of the twelve years' truce, renewed the war with the Spanish monarchy. His great capacity in the military art would have compensated the inferiority of his forces, had not the Spanish armies been commanded by Spinola, a general equally renowned for conduct, and more celebrated for enterprise and activity. In such a situation, nothing could be more welcome to the republic than the prospect of a rupture between James and the catholic king; and they flattered themselves, as well from the natural union of interests between them and England, as from the influence of the present conjuncture, that powerful succours would soon march to their relief. Accordingly, an army of 6000 men was levied in England, and sent over to Holland, commanded by four young noblemen—Essex, Oxford, Southampton, and Willoughby,—who were ambitious of distinguishing themselves in so popular a cause, and of acquiring military experience under so renowned a captain as Maurice.

It might reasonably have been expected that, as religious zeal had made the recovery of the Palatinate appear a point of such vast importance in England, the same effect must have been produced in France, by the force merely of political views and considerations. While that principality remained in the hands of the house of Austria, the French dominions were surrounded on all sides by the possessions of that ambitious family, and might be invaded by superior forces from every quarter. It concerned the King of France, therefore, to prevent the peaceable establishment of the emperor in his new con-

¹ Rushworth, vol. 1., p. 244; Hackett's Life of William; Coke, p. 107.

quests, and both by the situation and greater power of his state, he was much better enabled than James to give succour to the distressed Palatine (Collect. of State Papers by the Earl of Clarendon, p 393) But though these views escaped not Louis, nor Cardinal Richelieu, who now began to acquire an ascendant in the French court, that minister was determined to pave the way for his enterprises by first subduing the Huguenots, and thence to proceed, by mature counsels, to humble the house of Austria. The prospect, however, of a conjunction with England was presently embraced, and all imaginable encouragement was given to every proposal for concluding a marriage between Charles and the princess Henrietta.

Notwithstanding the sensible experience, which James might have acquired, of the unsurmountable antipathy entertained by his subjects against all alliance with catholics, he still persevered in the opinion, that his son would be degraded by receiving into his bed a princess of less than royal extraction. After the rupture, therefore, with Spain, nothing remained but an alliance with France, and to that court he immediately applied himself (Rushworth, vol 1., p 152) The same allurements had not here place, which had so long entangled him in the Spanish negotiation: the portion promised was much inferior, and the peaceable restoration of the Palatine could not thence be expected. But James was afraid lest his son should be altogether disappointed of a bride, and therefore, as soon as the French king demanded, for the honour of his crown, the same terms which had been granted to the Spanish, he was prevailed with to comply. And as the prince, during his abode in Spain, had given a verbal promise to allow the Infanta the education of her children till the age of thirteen, this article was here inserted in the treaty; and to that impudence is generally imputed the present distressed condition of his posterity. The court of England, however, it must be confessed, always pretended, even in their memorials to the French court, that all the favourable conditions granted to the catholics were inserted in the marriage treaty merely to please the pope, and that their strict execution was, by an agreement with France, secretly dispensed with.¹

As much as the conclusion of the marriage treaty was acceptable to the king, so much were all the military enterprises disagreeable, both from the extreme difficulty of the undertaking in which he was engaged, and from his own incapacity for such a scene of action.

During the Spanish negotiation, Heidelberg and Manheim had been taken by the Imperial forces, and Frankendale, though the garrison was entirely English, was closely besieged by them. After reiterated remonstrances from James, Spain interposed, and procured a suspension of arms during eighteen months. But as Frankendale was the only place of Frederic's ancient dominions which was still in his

¹ Rymer, tom xviii, p 244. 'Tis certain that the young Prince of Wales, afterwards Charles II., had protestant governors from his early infancy: first, the Earl of Newcastle, then the Marquis of Hertford. The king, in his memorial to foreign churches after the commencement of the civil wars, insists on his care in educating his children in the protestant religion, as a proof that he was nowise inclined to the catholic. Rushworth, vol 7, p 752. It can scarcely, therefore, be questioned, but this article, which has so odd an appearance, was inserted only to amuse the pope, and was never intended by either party to be executed.

hands, Ferdinand, desirous of withdrawing his forces from the Palatinate, and of leaving that state in security, was unwilling that so important a fortress should remain in the possession of the enemy. To compromise all differences, it was agreed to sequester it in the hands of the Infanta as a neutral person; upon condition that, after the expiration of the truce, it should be delivered to Frederic, though peace should not, at that time, be concluded between him and Ferdinand (Rushworth, vol 1, p 74). After the unexpected rupture with Spain, the Infanta, when James demanded the execution of the treaty, offered him peaceable possession of Frankendale, and even promised a safe-conduct for the garrison through the Spanish Netherlands; but there was some territory of the empire interposed between her state and the Palatinate, and for passage over that territory, no terms were stipulated (Idem *ibid*, p 151). By this chicane, which certainly had not been employed, if amity with Spain had been preserved, the Palatine was totally dispossessed of his patrimonial dominions.

The English nation, however, and James's wailike council, were not discouraged. It was still determined to reconquer the Palatinate; a state lying in the midst of Germany, possessed entirely by the emperor and Duke of Bavaria, surrounded by potent enemies, and cut off from all communication with England. Count Mansfeldt was taken into pay, and an English army of 12,000 foot and 200 horse¹ was levied by a general press throughout the kingdom. During the negotiation with France, vast promises had been made, though in general terms, by the French ministry, not only that a free passage should be granted to the English troops, but that powerful succours should also join them in their march towards the Palatinate. In England, all these professions were hastily interpreted to be positive engagements. The troops, under Mansfeldt's command were embarked at Dover; but, upon sailing over to Calais, found no orders yet arrived for their admission. After waiting in vain during some time, they were obliged to sail towards Zealand; where it had also been neglected to concert proper measures for their disembarkation, and some scruples arose among the States on account of the scarcity of provisions. Meanwhile, a pestilential distemper crept in among the English forces, so long cooped up in narrow vessels. Half the army died while on board; and the other half, weakened by sickness, appeared too small a body to march into the Palatinate.² And thus ended this ill concerted and fruitless expedition, the only disaster which happened to England during the prosperous and pacific reign of James.

That reign was now drawing towards a conclusion. With peace, so successfully cultivated, and so passionately loved by this monarch, his life also terminated. This spring he was seized with a tertian ague, and, when encouraged by his courtiers with the common proverb, that such a distemper, during that season, was health for a king, he replied, that the proverb was meant of a young king. After some fits, he found himself extremely weakened, and sent for the prince, whom he exhorted to bear a tender affection for his wife, but to preserve a constancy in religion, to protect the Church of England, and to extend his care towards the unhappy family of the Palatine (Rushworth, vol 1, p. 155).

¹ Franklin, p. 204. Rushworth, vol 1, p. 151. Dugdale, p. 24.

With decency and courage he prepared himself for his end, and he expired (March 27, A.D. 1625,) after a reign over England of twenty-two years and some days; and in the fifty-ninth year of his age. His reign over Scotland was almost of equal duration with his life. In all history, it would be difficult to find a reign less illustrious, yet more unspotted and unblemished, than that of James in both kingdoms.

No prince, so little enterprising and so inoffensive, was ever so much exposed to the opposite extremes of calumny and flattery, of satire and panegyric. And the factions, which began in his time, being still continued, have made his character be as much disputed to this day, as is commonly that of princes who are our contemporaries. Many virtues, however, it must be owned, he was possessed of, but scarce any of them pure, or free from the contagion of the neighbouring vices. His generosity bordered on profusion, his leaning on pedantry, his pacific disposition on pusillanimity, his wisdom on cunning, his friendship on light fancy and boyish fondness. While he imagined that he was only maintaining his own authority, he may perhaps be suspected, in a few of his actions, and still more of his pretensions, to have somewhat encroached on the liberties of his people while he endeavoured, by an exact neutrality, to acquire the good-will of all his neighbours, he was able to preserve fully the esteem and regard of none. His capacity was considerable; but fitter to discourse on general maxims than to conduct any intricate business. His intentions were just; but more adapted to the conduct of private life, than to the government of kingdoms. Awkward in his person, and ungainly in his manners, he was ill qualified to command respect; partial and undiscerning in his affections, he was little fitted to acquire general love. Of a feeble temper more than of a sound judgment exposed to our ridicule from his vanity; but exempt from our hatred by his freedom from pride and arrogance. And upon the whole, it may be pronounced of his character, that all his qualities were sullied with weakness and embellished by humanity. Of political courage he certainly was destitute, and thence chiefly is derived the strong prejudice which prevails against his personal bravery: an inference, however, which must be owned, from general experience, to be extremely fallacious.

He was only once married, to Anne of Denmark, who died on the 3rd March 1619, in the forty fifth year of her age, a woman eminent neither for her vices nor her virtues. She loved shows and expensive amusements; but possessed little taste in her pleasures. A great comet appeared about the time of her death, and the vulgar esteemed it the prognostic of that event. So considerable in their eyes are even the most insignificant princes.

He left only one son, Charles, then in the twenty-fifth year of his age, and one daughter, Elizabeth, married to the elector Palatine. She was aged twenty-nine years. Those alone remained of six legitimate children born to him. He never had any illegitimate, and he never discovered any tendency, even the smallest, towards a passion for any mistress.

The archbishops of Canterbury, during this reign, were Whytgift, who died in 1604, Bancroft, in 1610, Abbot, who survived the king. The chancellors, Lord Ellesmore, who resigned in 1617; Bacon was

first lord keeper till 1619, then was created chancellor, and was displaced in 1621. Williams, bishop of Lincoln, was created lord keeper in his place. The high treasurers were, the Earl of Dorset, who died in 1609; the Earl of Salisbury, in 1612 the Earl of Suffolk, fined and displaced for bribery in 1618, Lord Mandeville, resigned in 1621; the Earl of Middlesex, displaced in 1624, the Earl of Marlborough succeeded. The lord admirals were, the Earl of Nottingham, who resigned in 1618, the Earl, afterwards Duke of Buckingham. The secretaries of state were, the Earl of Salisbury, Sir Ralph Winwood, Nanton, Calvert, Lord Conway, Sir Albertus Morton.

The numbers of the house of lords, in the first parliament of this reign, were seventy-eight temporal peers. The numbers in the first parliament of Charles were ninety-seven. Consequently James, during that period, created nineteen new peerages above those that expired.

The house of commons, in the first parliament of this reign, consisted of four hundred and sixty-seven members. It appears, that four boroughs received their charters, which they had formerly neglected. And as the first parliament of Charles consisted of four hundred and ninety-four members, we may infer that James created ten new boroughs.

APPENDIX

TO THE

REIGN OF JAMES I.¹

Civil government of England during this period. — Ecclesiastical government — Lawyers — Finance — Navy. — Commerce. — Manufactures. — Colonies. — Learning and arts.

It may not be improper, at this period, to make a pause; and to take a survey of the state of the kingdom, with regard to government, manners, finances, arms, trade, learning. Where a just notion is not formed of these particulars, history can be little instructive, and often will not be intelligible.

We may safely pronounce, that the English government, at the accession of the Scottish line, was much more arbitrary than it is at present; the prerogative less limited, the liberties of the subject less accurately defined and secured. Without mentioning other particulars, the courts alone of high commission and star-chamber were sufficient to lay the whole kingdom at the mercy of the prince.

The court of high commission had been erected by Elizabeth, in consequence of an act of parliament, passed in the beginning of her reign, by this act, it was thought proper, during the great revolution

¹ This history of the house of Stuart was written and published by the author before the history of the house of Tudor. Hence it happens that some passages, particularly in the present Appendix, may seem to be repetitions of what was formerly delivered in the reign of Elizabeth. The author, in order to obviate this objection, has cancelled some few passages in the foregoing chapters.

of religion, to arm the sovereign with full powers, in order to discountenance and suppress opposition. All appeals from the inferior ecclesiastical courts were carried before the high commission, and, of consequence, the whole life and doctrine of the clergy lay directly under its inspection. Every breach in the act of uniformity, every refusal of the ceremonies, was cognizable in this court, and during the reign of Elizabeth, had been punished by deprivation, by fine, confiscation, and imprisonment. James contented himself with the gentler penalty of deprivation, nor was that punishment inflicted with rigour on every offender. Archbishop Spotswood tells us, that he was informed by Bancroft, the primate, several years after the king's accession, that not above forty-five clergymen had then been deprived. All the catholics, too, were liable to be punished by this court, if they exercised any act of their religion, or sent abroad their children or other relations, to receive that education which they could not procure them in their own country. Popish priests were thrown into prison, and might be delivered over to the law, which punished them with death; though that severity had been sparingly exercised by Elizabeth, and never almost by James. In a word, that liberty of conscience, which we so highly and so justly value at present, was totally suppressed, and no exercise of any religion, but the established, was permitted throughout the kingdom. Any word or writing, which tended towards heresy or schism, was punishable by the high commissioners, or any three of them, they alone were judges what expressions had that tendency, they proceeded not by information, but upon rumour, suspicion, or according to their discretion; they administered an oath, by which the party cited before them was bound to answer any question which should be propounded to him, whoever refused this oath, though he pleaded ever so justly, that he might thereby be brought to accuse himself or his dearest friend, was punishable by imprisonment; and in short, an inquisitorial tribunal, with all its terrors and iniquities, was erected in the kingdom. Full discretionary powers were bestowed with regard to the inquiry, trial, sentence, and penalty inflicted; excepting only that corporal punishments were restrained by that patent of the prince, which erected the court not by the act of parliament, which empowered him. By reason of the uncertain limits, which separate ecclesiastical from civil causes, all accusations of adultery and incest were tried by the court of high commission, and every complaint of wives against their husbands was there examined and discussed (Rymer, tom xvii., 200). On like pretences, every cause which regarded conscience—that is, every cause—could have been brought under their jurisdiction.

But there was a sufficient reason why the king would not be solicitous to stretch the jurisdiction of this court. The star-chamber possessed the same authority in civil matters, and its methods of proceeding were equally arbitrary and unlimited. The origin of this court was derived from the most remote antiquity,¹ though it is

¹ Rushworth, vol. 1, p. 473. In Chambers's case it was the unanimous opinion of the court of King's Bench, that the court of Star-chamber was not derived from the statute of Hen VII., but was a court many years before, and one of the most high and honourable courts of justice. Coke's Rep., Term Mich., 5, Car. 1, further, Camden's Brit., vol. 1, Introd., p. 254. edit. of Gibson.

pretended, that its power had first been carried to the greatest height by Henry VII. In all times, however, it is confessed, it enjoyed authority, and at no time was its authority circumscribed, or method of proceeding directed, by any law or statute.

We have had already, or shall have sufficient occasion, during the course of this history, to mention the dispensing power, the power of imprisonment, of exacting loans¹ and benevolence, of pressing and quartering soldiers, of altering the customs, of erecting monopolies. These branches of power, if not directly opposite to the principles of all free government, must, at least, be acknowledged dangerous to freedom in a monarchical constitution, where an eternal jealousy must be preserved against the sovereign, and no discretionary powers must ever be entrusted to him, by which the property or personal liberty of any subject can be affected. The kings of England, however, had almost constantly exercised these powers, and, if on any occasion, the prince had been obliged to submit to laws enacted against them, he had ever in practice, eluded these laws, and returned to the same arbitrary administration. During almost three centuries before the accession of James, the legal authority, in these particulars, had never once been called in question.

We may also observe, that the principles in general which prevailed during that age, were so favourable to monarchy, that they bestowed on it an authority almost absolute and unlimited, sacred and indefeasible.

The meetings of parliament were so precarious—their sessions so short, compared to the vacations, that, when men's eyes were turned upward in search of sovereign power, the prince alone was apt to strike them as the only permanent magistrate, invested with the whole majesty and authority of the state. The great complaisance, too, of parliaments, during so long a period, had extremely degraded and obscured those assemblies, and, as all instances of opposition to prerogative must have been drawn from a remote age, they were unknown to a great many, and had the less authority even with those who were acquainted with them. These examples, besides, of liberty had commonly, in ancient times, been accompanied with such circumstances of violence, convulsion, civil war, and disorder, that they presented but a disagreeable idea to the inquisitive part of the people, and afforded small inducement to renew such dismal scenes. By a great many, therefore, monarchy, simple and unmixed, was conceived to be the government of England, and those popular assemblies were supposed to form only the ornament of the fabric, without being, in any degree, essential to its being and existence.² The prerogative of the

¹ During several centuries, no reign had passed without some forced loans from the subject.

² 'Monarchies,' according to Sir Walter Raleigh, 'are of two sorts, touching their power or authority, viz.—*first* *limited*, where the whole power of ordering all state matters, both in peace and war, doth, by law and custom, appertain to the prince, as in the English kingdom; 'while the prince hath the power to make laws, league and war, to create magistrates, to pardon life, of appeal etc. Though, to give a contentment to the other degrees, they have a suffrage in making laws, yet ever subject to the prince's pleasure and negative will.' 'Limited or restrained, that hath no full power in all the points and matters of state, as the military king, that hath not the sovereignty in time of peace, as the making of laws, etc. But in war only, as the Polish king.' *Maxims of State*.

And a little after, 'In every just state, some part of the government is, or ought to be, imparted to the people, as in a kingdom, a voice and suffrage in making laws; and some

crown was represented by lawyers as something real and durable, like those eternal essences of the schools, which no time or force could alter. The sanction of religion was, by divines, called in aid, and the Monarch of heaven was supposed to be interested in supporting the authority of his earthly viceroy. And though it is pretended that

'times also of levying of arms (if the charge be great, and the prince forced to borrow help of his subjects) the matter mightly may be propounded to a parliament, that the tax may seem to have proceeded from themselves. So consultations and some proceedings in judicial matters may, in part, be referred to them. The reason, lest, seeing themselves to be in no number nor of reckoning, they mislike the state or government.' This way of reasoning differs little from that of King James, who considered the privileges of the parliament as matters of grace and indulgence, more than of inheritance. It is remarkable that Raleigh was thought to lean towards the puritanical party, notwithstanding these positions. But ideas of government change much in different times.

Raleigh's sentiments on this head are still more openly expressed, in his 'Prerogative of Parliaments,' a work not published till after his death. It is a dialogue between a counsellor or counsellor and a country justice of peace, who represents the patriot party, and defends the highest notions of liberty which the principles of that age would bear. Here is a passage of it: 'Counsellor. That which is done by the king, with the advice of his private or privy council, is done by the king's absolute power. Justice. And by whose power is it done in parliament but by the king's absolute power? Mistake it not, my lord, the three estates do but advise as the privy council doth, which advice, if the king embrace, it becomes the king's own act in the one, and the king's law in the other, etc.'

The Earl of Clare, in a private letter to his son-in-law, Sir Thomas Wentworth, afterwards Earl of Strafford, thus expresses himself: 'We live under a prerogative government, where "book law submits to lex loquens." He spoke from his own, and all his ancestors' experience. There was no single instance of power, which a King of England might not, at that time, exert, on pretence of necessity or expediency, the continuance alone or frequent repetition of arbitrary administration might prove dangerous, for want of force to support it. It is remarkable that this letter of the Earl of Clare was written in the first year of Charles's reign and consequently must be meant of the general genius of the government, not the spirit or temper of the monarch. See Strafford's letters, vol. i., p. 32. From another letter in the same collection, vol. i., p. 10, it appears that the council sometimes assumed the power of forbidding persons disagreeable to the court, to stand in the elections. This authority they could exert in some instances; but we are not thence to infer, that they could shut the door of that house to every one who was not acceptable to them. The genius of the ancient government reposed more trust in the king, than to entertain any such suspicion, and it allowed scattered instances, of such a kind as would have been totally destructive of the constitution, had they been continued without interruption.

I have not met with any English writer in that age, who speaks of England as a limited monarchy, but as an absolute one, where the people have many privileges. That is no contradiction. In all European monarchies, the people have privileges, but whether dependent or independent on the will of the monarch, is a question, that, in most governments, it is better to forbear. Surely that question was not determined before the age of James. The rising spirit of the parliament, together with that king's love of general, speculative principles, brought it from its obscurity and made it be continually canvassed. The strongest testimony, that I remember, from a writer of James's age, in favour of English liberty, is in Cardinal Bentivoglio, a foreigner, who mentions the English government as similar to that of the Low Country provinces under their princes, rather than to that of France or Spain. Englishmen were not so sensible that their prince was limited, because they were sensible that no individual had any security against a stretch of prerogative, but foreigners, by comparison, could perceive that these stretches were, at that time, from custom or other causes, less frequent in England than in other monarchies. Philip de Comines, too, remarked the English constitution to be more popular, in his time, than that of France. But in a paper written by a patriot in 1627, it is remarked that the freedom of speech in parliament had been lost in England, since the days of Comines. See Franklyn, p. 233. Here is a stanza of Malherbe's Ode to Mary de Medici, the queen-regent, written in 1614.

Entre les rois a qui cet age Doit son principal ornement,
Ceux de la Tamise et du Tage Font louer leur gouvernement :
Mais en de si calmes provinces, Ou le peuple adore les princes,
Et met au gré le plus haut L'honneur du sceptre legitime,
Seroit-on excuser le crime De ne regner pas comme il faut.

The English, as well as the Spaniards, are here pointed out as much more obedient subjects than the French, and much more tractable and submissive to their princes. Though this passage be taken from a poet, every man of judgment will allow its authority to be decisive. The character of a national government cannot be unknown in Europe; though it changes sometimes very suddenly. Machiavel, in his *Dissertations on Livy*, says repeatedly, that France was the most legal and most popular monarchy then in Europe.

these doctrines were more openly inculcated and more strenuously insisted on during the reign of the Stuarts, they were not then invented; and were only found by the court to be more necessary at that period, by reason of the opposite doctrines, which began to be promulgated by the puritanical party.¹

In consequence of these exalted ideas of kingly authority, the prerogative, besides the articles of jurisdiction founded on precedent, was, by many, supposed to possess an inexhaustible fund of latent powers, which might be exerted on any emergency. In every government, necessity, when real, supersedes all laws, and levels all limitations, but in the English government, convenience alone was conceived to authorize any extraordinary act of legal power, and to render it obligatory on the people. Hence the strict obedience required to proclamations, during all periods of the English history, and, if James has incurred blame on account of his edicts, it is only because he too frequently issued them at a time when they began to be less regarded, not because he first assumed or extended to an unusual degree that exercise of authority. Of his maxims in a parallel case, the following is a pretty remarkable instance.

Queen Elizabeth had appointed commissioners for the inspection of prisons, and had bestowed on them full discretionary powers to adjust all differences between prisoners and their creditors, to compound debts, and to give liberty to such debtors as they found honest, and insolvent. From the uncertain and undefined nature of the English constitution, doubts sprang up in many, that this commission was contrary to law, and it was represented in that light to James. He forebore, therefore, renewing the commission, till the fifteenth of his reign, when complaints rose so high, with regard to the abuses practised in prisons, that he thought himself obliged to overcome his scruples, and to appoint new commissioners, invested with the same discretionary powers which Elizabeth had formerly conferred (Rymer, tom. xviii, pp. 117, 594).

Upon the whole, we must conceive that monarchy, on the accession of the house of Stuart, was possessed of a very extensive authority; an authority in the judgment of all, not exactly limited, in the judgment of some, not limitable. But, at the same time, this authority was founded merely on the opinion of the people, influenced by ancient precedent and example. It was not supported either by money or by force of arms, and, for this reason, we need not wonder, that the princes of that line were so extremely jealous of their prerogative;

¹ Passive obedience is expressly and zealously inculcated in the homilies, composed and published by authority, in the reign of Queen Elizabeth. The convocation, which met in the very first year of the king's reign, voted as high monarchial principles, as are contained in the decrees of the university of Oxford, during the rule of the tories. These principles, so far from being deemed a novelty introduced by James's influence, passed so smoothly, that no historian has taken notice of them, they were never the subject of controversy, or dispute, or discourse, and it is only by means of Bishop Overtall's Convocation book, printed near seventy years after, that we are acquainted with them. Would James, who was so cautious, and even timid, have ventured to begin his reign with a bold stroke, which would have given just ground of jealousy to his subjects? It appears, from that monarch's *Basiliensium Forum*, written while he was in Scotland, that the republican ideas of the origin of power from the people were, at that time, esteemed puritanical novelties. The patriarchal scheme, it is remarkable, is mentioned in those votes of the convocation preserved by Overtall, nor was Filmer the first inventor of those absurd notions.

being sensible, that, when those claims were ravished from them, they possessed no influence, by which they could maintain their dignity, or support the laws. By the changes which have since been introduced, the liberty and independence of individuals has been rendered much more full, entire, and secure; that of the public more uncertain and precarious. And it seems a necessary, though perhaps a melancholy truth, that, in every government, the magistrate must either possess a large revenue and a military force, or enjoy some discretionary powers, in order to execute the laws, and support his own authority.

We have had occasion to remark, in so many instances, the bigotry which prevailed in that age, that we can look for no toleration among the different sects. Two Arians, under the title of heretics, were punished by fire during this period, and no one reign, since the reformation, had been free from like barbarities. Stowe says, that these Arians were offered their pardon at the stake, if they would merit it by a recantation. A madman, who called himself the Holy Ghost, was, without any indulgence for his frenzy, condemned to the same punishment. Twenty pounds a month could by law be levied on every one who frequented not the established worship. This rigorous law, however, had one indulgent clause, that the fines enacted should not exceed two-thirds of the yearly income of the person. It had been usual for Elizabeth to allow those penalties to run on for several years, and to levy them all at once, to the utter ruin of such catholics as had incurred her displeasure. James was more humane in this, as in every other respect. The puritans formed a sect, which secretly lurked in the church, but pretended not to any separate worship or discipline. An attempt of that kind would have been universally regarded as the most unpardonable enormity. And had the king been disposed to grant the puritans a full toleration for a separate exercise of their religion, it is certain, from the spirit of the times, that this sect itself would have despised and hated him for it, and would have reproached him with lukewarmness and indifference in the cause of religion. They maintained, that they themselves were the only pure church; that their principles and practices ought to be established by law; and that no others ought to be tolerated. It may be questioned, therefore, whether the administration at this time could with propriety deserve the appellation of prosecutors with regard to the puritans. Such of the clergy, indeed, as refused to comply with the legal ceremonies, were deprived of their livings, and sometimes in Elizabeth's reign were otherwise punished, and ought any man to accept of an office or benefice in an establishment, while he declines compliance with the fixed and known rules of that establishment? But puritans were never punished for frequenting separate congregations, because there were none such in the kingdom; and no protestant ever assumed or pretended to the right of erecting them. The greatest well-wishers of the puritanical sect would have condemned a practice, which in that age was universally, by statesmen and ecclesiastics, philosophers and zealots, regarded as subversive of civil society. Even so great a reasoner as Lord Bacon, thought that uniformity in religion was absolutely necessary to the support of government, and that no toleration could with safety be given to sectaries (*De unitate ecclesiæ*),

Nothing but the imputation of idolatry, which was thrown on the catholic religion could justify in the eyes of the puritans themselves, the schism made by the Huguenots and other protestants, who lived in popish countries

In all former ages, not wholly excepting even those of Greece and Rome, religious sects and heresies and schisms had been esteemed dangerous, if not pernicious to civil government, and were regarded as the source of faction, and private combination, and opposition to the laws (Cicero de legibus). The magistrate, therefore, applied himself directly to the cure of this evil as of every other; and very naturally attempted, by penal statutes, to suppress those separate communities, and punish the obstinate innovators. But it was found by fatal experience, and after spilling an ocean of blood in those theological quarrels, that the evil was of a peculiar nature, and was both inflamed by violent remedies, and diffused itself more rapidly throughout the whole society. Hence, though late, arose the paradoxical principle and salutary practice of toleration

The liberty of the press was incompatible with such maxims and such principles of government as then prevailed, and was therefore quite unknown in that age. Besides employing the two terrible courts of star-chamber and high commission, whose powers were unlimited, Queen Elizabeth exerted her authority by restraints upon the press. She passed a decree in her court of star-chamber,—that is, by her own will and pleasure,—forbidding any book to be printed in any place but in London, Oxford, and Cambridge (28th of Eliz. State trials; Sir Rob. Knightly, vol vii, edit 1st). And another, in which she prohibited, under severe penalties, the publishing of any book or pamphlet 'against the form or meaning of any restraint or ordinance, contained, or to be contained in any statute or laws of this realm, or in any injunction made or set forth by her majesty or her privy-council, or against the true sense or meaning of any letters patent, commissions, or prohibitions under the great seal of England' (Rymer, tom. xvii., p. 522). James extended the same penalties to the importing of such books from abroad (Id. Ibid.) And to render these edicts more effectual, he afterwards inhibited the printing of any book without a licence from the Archbishop of Canterbury, the Archbishop of York, the Bishop of London, or the vice-chancellor of one of the universities, or of some person appointed by them (Rymer, tom xvii., p. 616).

In tracing the coherence among the systems of modern theology, we may observe, that the doctrine of absolute decrees has ever been intimately connected with the enthusiastic spirit; as that doctrine affords the highest subject of joy, triumph, and security to the supposed elect, and exalts them, by infinite degrees, above the rest of mankind. All the first reformers adopted these principles, and the Jansenists too, a fanatical sect in France, not to mention the Mahometans in Asia, have ever embraced them. As the Lutheran establishments were subjected to episcopal jurisdiction, their enthusiastic genius gradually decayed, and men had leisure to perceive the absurdity of supposing God to punish, by infinite torments, what He Himself, from all eternity, had unchangeably decreed. The king, though at this time his Calvinistic education had rivetted him in the doctrine of

absolute decrees, yet, being a zealous partisan of episcopacy, was insensibly engaged, towards the end of his reign, to favour the milder theology of Arminius. Even in so great a doctor, the genius of the religion prevailed over its speculative tenets; and with him, the whole clergy gradually dropped the more rigid principles of absolute reprobation and unconditional decrees. some noise was, at first, made about these innovations, but being drowned in the fury of factions and civil wars which ensued, the scholastic arguments made an insignificant figure amidst those violent disputes about civil and ecclesiastical power, with which the nation was agitated. And at the restoration, the church, though she still retained her old subscriptions and articles of faith, was found to have totally changed her speculative doctrines, and to have embraced tenets more suitable to the genius of her discipline and worship, without its being possible to assign the precise period in which the alteration was produced.

It may be worth observing, that James, from his great desire to promote controversial divinity, erected a college at Chelsea for the entertainment of twenty persons, who should be entirely employed in refuting the papists and puritans¹. All the efforts of the great Bacon could not procure an establishment for the cultivation of natural philosophy, even to this day, no society has been instituted for the polishing and fixing of our language. The only encouragement which the sovereign in England has ever given to anything that has the appearance of science, was this short-lived establishment of James, an institution quite superfluous, considering the unhappy propensity, which at that time so universally possessed the nation for polemical theology.

The manners of the nation were agreeable to the monarchical government which prevailed; and contained not that strange mixture, which at present distinguishes England from all other countries. Such violent extremes were then unknown, of industry and debauchery, frugality and profusion, civility and rusticity, fanaticism and scepticism. Candour, sincerity, modesty are the only qualities which the English of that age possessed in common with the present.

High pride of family then prevailed, and it was by a dignity and stateliness of behaviour, that the gentry and nobility distinguished themselves from the common people. Great riches, acquired by commerce, were more rare, and had not as yet been able to confound all ranks of men, and render money the chief foundation of distinction. Much ceremony took place in the common intercourse of life, and little familiarity was indulged by the great. The advantages which result from opulence are so solid and real, that those who are possessed of them need not dread the near approaches of their inferiors. The distinctions of birth and title, being more empty and imaginary, soon vanish upon familiar access and acquaintance.

The expenses of the great consisted in pomp and show, and a numerous retinue, rather than in convenience and true pleasure. The Earl of Nottingham, in his embassy to Spain, was attended by 500 persons. the Earl of Hertford, in that to Brussels, carried 300 gentlemen along with him. Lord Bacon has remarked that the English nobility, in his time, maintained a larger retinue of servants than the

¹ Kennet, p. 685, Camden's Brit., vol. i., p. 370; Gibson's edit.

nobility of any other nation, except, perhaps, the Polanders (*De Profer.*, fin imp.).

Civil honours, which now hold the first place, were at that time subordinate to the military. The young gentry and nobility were fond of distinguishing themselves by arms. The fury of duels, too, prevailed more than at any time before or since (*Franklyn*, p. 5, *Lord Herbert's Mem.*). This was the turn that the romantic chivalry, for which the nation was formerly so renowned, had lately taken.

Liberty of commerce between the sexes was indulged, but without any licentiousness of manners. The court was very little an exception to this observation. James had rather entertained an aversion and contempt for the females, nor were those young courtiers, of whom he was so fond, able to break through the established manners of the nation.

The first sedan chair, seen in England, was in this reign, and was used by the Duke of Buckingham, to the great indignation of the people, who exclaimed, that he was employing his fellow-creatures to do the service of beasts.

The country life prevails at present in England beyond any cultivated nation of Europe, but it was then much more generally embraced by all the gentry. The increase of arts, pleasures, and social commerce was just beginning to produce an inclination for the softer and the more civilized life of the city. James discouraged as much as possible this alteration of manners. 'He was wont to be very earnest,' as Lord Bacon tells us, 'with the country gentlemen to go from London to their country seats. And sometimes he would say thus to them: "Gentlemen, at London, you are like ships in a sea, which show like nothing, but in your country villages, you are like ships in a river, which look like great things"' (*Apophthegms*).

He was not content with reproof and exhortation. As Queen Elizabeth had perceived, with regret, the increase of London, and had restrained all new buildings by proclamation; James, who found that these edicts were not exactly obeyed, frequently renewed them; though a strict execution seems still to have been wanting. He also issued reiterated proclamations, in imitation of his predecessor; containing severe menaces against the gentry who lived in town (*Rymer*, tom. xvii., p. 632). This policy is contrary to that which has ever been practised by all princes who studied the increase of their authority. To allure the nobility to court; to engage them in expensive pleasures or employments, which dissipate their fortune, to increase their subjection to ministers by attendance, to weaken their authority in the provinces by absence. these have been the common arts of arbitrary government. But James, besides that he had certainly had no plan for extending his power, had no money to support a splendid court, or bestow on a numerous retinue of gentry and nobility. He thought, too, that by their living together, they became more sensible of their own strength, and were apt to indulge too curious researches into matters of government. To remedy the present evil, he was desirous of dispersing them into their country seats; where, he hoped, they would bear a more submissive reverence to his authority, and receive less support from each other. But the contrary effect soon followed. The

riches, amassed during their residence at home, rendered them independent. The influence acquired by hospitality made them formidable. They would not be led by the court: they could not be driven. And thus the system of the English government received a total and a sudden alteration in the course of less than forty years.

The first rise of commerce and the arts had contributed, in preceding reigns, to scatter those immense fortunes of the barons, which rendered them so formidable both to king and people. The farther progress of these advantages began, during this reign, to ruin the small proprietors of land (Cabbala, p. 224, first edit.), and, by both events, the gentry, or that rank which composed the House of Commons, enlarged their power and authority. The early improvements in luxury were seized by the greater nobles, whose fortunes, placing them above frugality, or even calculation, were soon dissipated in expensive pleasures. These improvements reached at last all men of property; and those of slender fortunes, who, at that time, were often men of family, imitating those of a rank immediately above them, reduced themselves to poverty. Their lands coming to sale, swelled the estates of those who possessed riches sufficient for the fashionable expenses, but who were not exempted from some care and attention to their domestic economy.

The gentry, also, of that age were engaged in no expense, except that of country hospitality. No taxes were levied, no wars waged, no attendance at court expected, no bribery or profusion required at elections.¹ Could human nature ever reach happiness, the condition of the English gentry, under so benign a prince, might merit that appellation.

The amount of the king's revenue, as it stood in 1617, is thus stated.² Of crown lands, 80,000*l.* a year; by customs and new impositions, near 190,000*l.*; by wards and other various branches of revenue, besides purveyance, 180,000*l.*; the whole amounting to 450,000*l.* The king's ordinary disbursements, by the same account, are said to exceed this sum 36,000*l.*³ All the extraordinary sums which James had raised by subsidies, loans, sale of lands, sale of the title of baronet, money paid by the states, and by the king of France, benevolences, etc., were, in the whole, about 2,200,000*l.*; of which the sale of lands afforded 775,000*l.* The extraordinary disbursements of the king amounted to 2,000,000*l.*, beside above 400,000*l.* given in presents. Upon the whole, a sufficient reason appears, partly from necessary expenses, partly from want of a rigid economy, why the king, even early in his reign, was deeply involved in debt, and found great difficulty to support the government.

Farmers, not commissioners, levied the customs. It seems, indeed, requisite, that the former method should always be tried before the latter, though a preferable one. When men's own interest is concerned, they fall upon a hundred expedients to prevent frauds in the merchants, and these the public may afterwards imitate in establishing proper rules for its officers.

¹ Men seem then to have been ambitious of representing the counties, but careless of the boroughs. A seat in the house was, in itself, of small importance, but the former became a point of honour among the gentlemen. Journ., 10 Feb., 1620. Towns, which had formerly neglected their right of sending members, now began to claim it. Journ., 26 Feb., 1623.

² An abstract, or brief declaration of his majesty's revenue, with the assignments and defalcations upon the same.

³ The excess was formerly greater, as appears by Salisbury's account, chap. 2.

The customs were supposed to amount to five per cent. of the value, and were levied upon exports as well as imports. Nay, the imposition upon exports, by James's additions, is said to amount in some few instances, to twenty-five per cent. This practice, so hurtful to industry, prevails still in France, Spain, and most countries of Europe. The customs in 1604 yielded 127,000*l* a year (*Journ*, May 21, 1604). They rose to 190,000*l* towards the end of the reign.

Interest, during this reign, was at ten per cent till 1624, when it was reduced to eight. This high interest is an indication of the great profits and small progress of commerce.

The extraordinary supplies granted by parliament during this whole reign, amounted not to more than 630,000*l*, which, divided among twenty-one years, makes 30,000*l* a year. I do not include those supplies, amounting to 300,000*l*, which were given to the king by his last parliament. These were paid in to their own commissioners; and the expenses of the Spanish war were much more than sufficient to exhaust them. The distressed family of the Palatine was a great burden on James, during part of his reign. The king, it is pretended, possessed not frugality, proportioned to the extreme narrowness of his revenue. Splendid equipages, however, he did not affect, nor costly furniture, nor a luxurious table, nor prodigal mistresses. His buildings, too, were not sumptuous, though the banqueting-house must not be forgotten, as a monument which does honour to his reign. Hunting was his chief amusement, the cheapest pleasure in which a king can indulge himself. His expenses were the effects of liberality rather than of luxury.

One day, it is said, while he was standing amidst some of his courtiers, a porter passed by loaded with money, which he was carrying to the treasury. The king observed that Rich, afterwards Earl of Holland, one of his handsome, agreeable favourites, whispered something to one standing near him. Upon inquiry, he found that Rich had said, 'How happy would that money make me!' Without hesitation James bestowed it all upon him, though it amounted to 3000*l*. He added, 'You think yourself very happy in obtaining so large a sum, but I am more happy in having an opportunity of obliging a worthy man, whom I love.' The generosity of James was more the result of a benign humour or light fancy, than of reason or judgment. The objects of it were such as could render themselves agreeable to him in his loose hours, not such as were endowed with great merit, or who possessed talents or popularity, which could strengthen his interest with the public.

The same advantage, we may remark, over the people, which the crown formerly reaped from that interval between the fall of the peers and the rise of the commons, was now possessed by the people against the crown, during the continuance of a like interval. The sovereign had already lost that independent revenue, by which he could subsist without regular supplies from parliament; and he had not yet acquired the means of influencing those assemblies. The effects of this situation, which commenced with the accession of the House of Stuart, soon rose to a great height, and were more or less propagated throughout all the reigns of that unhappy family.

Subsidies and fifteenths are frequently mentioned by historians, but

neither the amount of these taxes, nor the method of levying them, have been well explained. It appears that the fifteenths formerly corresponded to the name, and were that proportionable part of the moveables (Coke's Inst., book iv., chap 1, of fifteenths, quinzins) But a valuation having been made in the reign of Edward III., that valuation was always adhered to, and each town paid unalterably a particular sum, which the inhabitants themselves assessed upon their fellow-citizens. The same tax in corporate towns was called a tenth, because there it was at first a tenth of the moveables. The whole amount of a tenth and a fifteenth throughout the kingdom, or a fifteenth, as it is often more concisely called, was about 29,000*l* (Id, subsidies temporary) The amount of a subsidy was not invariable, like that of a fifteenth. In the eighth of Elizabeth, a subsidy amounted to 120,000*l* in the fortieth, it was not above 78,000*l* (Journ., July 11, 1610) It afterwards fell to 70,000*l*; and was continually decreasing (Coke's Inst., book iv, chap 1, subsidies temporary) The reason is easily collected from the method of levying it. We may learn from the subsidy bills (Statutes at Large), that one subsidy was given for four shillings in the pound on land, and two shillings and eightpence on moveables throughout the counties, a considerable tax, had it been strictly levied. But this was only the ancient state of a subsidy. During the reign of James, there was not paid the twentieth part of that sum. The tax was so far personal, that a man paid only in the county where he lived, though he should possess estates in other counties; and the assessors formed a loose estimation of his property, and rated him accordingly. To preserve, however, some rule in the estimation, it seems to have been the practice to keep an eye to former assessments, and to rate every man according as his ancestors, or men of such an estimated property, were accustomed to pay. This was a sufficient reason why subsidies could not increase, notwithstanding the great increase of money and rise of rents. But there was an evident reason why they continually decreased. The favour, as is natural to suppose, ran always against the crown, especially during the latter end of Elizabeth, when subsidies became numerous and frequent, and the sums levied were considerable compared to former supplies. The assessors, though accustomed to have an eye to ancient estimations, were not bound to observe any such rule, but might rate anew any person, according to his present income. When rents fell, or parts of an estate were sold off, the proprietor was sure to represent these losses, and obtain a diminution of his subsidy, but when rents rose, or new lands were purchased, he kept his own secret, and paid no more than formerly. The advantage, therefore, of every change was taken against the crown; and the crown could obtain the advantage of none. And, to make the matter worse, the alterations, which happened in property during this age, were in general unfavourable to the crown. The small proprietors, or twenty-pound men, went continually to decay, and when their estates were swallowed up by a greater, the new purchaser increased not his subsidy. So loose, indeed, is the whole method of rating subsidies, that the wonder was, not how the tax should continually diminish, but how it yielded any revenue at all. It became at last so unequal and uncertain, that the parliament was obliged to change it into a land tax.

The price of corn, during this reign, and that of the other necessities of life, was no lower, or was rather higher, than at present. By a proclamation of James, establishing public magazines, whenever wheat fell below thirty-two shillings a quarter, rye below eighteen, barley below sixteen, the commissioners were empowered to purchase corn for the magazines (Rymer, tom. xvii., p. 526, also 21 Jac vi., cap. 28). These prices, then, are to be regarded as low, though they would rather pass for high by our present estimation. The usual bread of the poor was at this time made of barley (Rymer, tom. xx., p. 15). The best wool, during the greater part of James's reign, was at thirty-three shillings a tod (Compendium inserted in the Mem of Wool, chap. 23). At present, it is not above two-thirds of that value, though it is to be presumed, that our exports in woollen goods are somewhat increased. The finer manufactures, too, by the progress of arts and industry, have rather diminished in price, notwithstanding the great increase of money. In Shakespeare, the hostess tells Falstaff, that the shirts she bought him were holland at eight shillings a-yard, a high price at this day, even supposing, what is not probable, that the best holland at that time was equal in goodness to the best that can now be purchased. In like manner, a yard of velvet, about the middle of Elizabeth's reign, was valued at two and twenty shillings. It appears from Dr. Birch's life of Prince Henry (p. 449), that that prince, by contract with his butcher, paid near a groat a-pound throughout the year for all the beef and mutton used in his family. Besides, we must consider that the general turn of that age, which no laws could prevent, was the converting of arable land into pasture, a certain proof that the latter was found more profitable, and consequently that all butcher's meat, as well as bread, was rather higher than at present. We have a regulation of the market with regard to poultry and some other articles, very early in Charles I's reign (Rymer, tom. xix., p. 511); and the prices are high. A turkey cock four shillings and sixpence, a turkey hen three shillings, a pheasant cock six, a pheasant hen five, a partridge one shilling, a goose two, a capon two and sixpence, a pullet one and sixpence, a rabbit eight-pence, a dozen of pigeons six shillings.¹ We must consider, that London at present is more than three times more populous than it was at that time; a circumstance which much increases the price of poultry, and of everything that cannot conveniently be brought from a distance, not to mention that these regulations by authority are always calculated to diminish, never to increase, the market-prices. The contractors for victualling the navy were allowed by government eight-pence a-day for the diet of each man when in harbour, seven-pence halfpenny when at sea (Rymer, tom. xvii., p. 441, *et seq.*), which would suffice at present. The chief difference in expense between that age and the present consists in the imaginary wants of men, which have since extremely multiplied. These² are the principal reasons why James's revenue would go farther than the same

¹ We may judge of the great grievance of purveyance by this circumstance, that the purveyors often gave but sixpence for a dozen of pigeons, and two pence for a fowl. *Journ.*, 25 May, 1626.

² This volume was written above 28 years before the present edition of 1796. In that short period, prices have perhaps risen more, than during the preceding 150.

money in our time; though the difference is not near so great as is usually imagined

The public was entirely free from the danger and expense of a standing army. While James was vaunting his divine vicegerency, and boasting of his high prerogative, he possessed not so much as a single regiment of guards to maintain his extensive claims, a sufficient proof that he sincerely believed his pretensions to be well-grounded, and a strong presumption that they were at least built on what were then deemed plausible arguments. The militia of England, amounting to 160,000 men (Journ, 1 Mar, 1623), was the sole defence of the kingdom. It is pretended that they were kept in good order during this reign.¹ The city of London procured officers who had served abroad, and who taught the trained bands their exercises in Artillery Garden; a practice which had been discontinued since 1588. All the counties of England, in emulation of the capital, were fond of showing a well-ordered and well-appointed militia. It appeared that the natural propensity of men towards military shows and exercises will go far, with a little attention in the sovereign, towards exciting and supporting this spirit in any nation. The very boys, at this time, in mimicry of their elders, enlisted themselves voluntarily into companies, elected officers, and practised the discipline, of which the models were every day exposed to their view (Stowe). Sir Edward Harwood, in a memorial composed at the beginning of the subsequent reign, says, that England was so unprovided with horses fit for war, that 2000 men could not possibly be mounted throughout the whole kingdom (Harleian Miscell, vol. iv., p. 255). At present, the breed of horses is so much improved, that almost all those which are employed, either in the plough, waggon, or coach, would be fit for that purpose.

The disorders of Ireland obliged James to keep up some forces there, and put him to great expense. The common pay of a private man in the infantry, was eight-pence a-day, a lieutenant two shillings, an ensign eighteen-pence (Rymer, tom xvi, p. 717). The armies in Europe were not near so numerous during that age, and the private men, we may observe, were drawn from a better rank than at present, and approaching nearer to that of the officers.

In the year 1583, there was a general review made of all the men in England capable of bearing arms; and these were found to amount to 1,172,000 men, according to Raleigh.² It is impossible to warrant the exactness of this computation; or, rather, we may fairly presume it to be somewhat inaccurate. But if it approached near the truth, England has probably, since that time, increased in populousness. The growth of London, in riches and beauty, as well as in numbers of inhabitants, has been prodigious. From 1600, it doubled every forty years (Sir Will. Petty), and, consequently, in 1680, it contained four times as many inhabitants as at the beginning of the century. It has ever been the centre of all the trade in the kingdom; and almost the only town that affords society and amusement. The affection which

¹ Stowe. Sir Walter Raleigh of the Prerogatives of Parliament, and Johnson's Hist., lib. xviii.

² Of the invention of shipping. This number is much superior to that contained in Murden, and that delivered by Sir Edward Coke to the house of commons; and is more likely.

the English bear to a country life, makes the provincial towns be little frequented by the gentry. Nothing but the allurements of the capital, which is favoured by the residence of the king, and by being the seat of government, and of all the courts of justice, can prevail over their passion for their rural villas.

London, at this time, was almost entirely built of wood, and in every respect was certainly a very ugly city. The Earl of Arundel first introduced the general practice of brick buildings (Sir Ed. Walker's *Political Discour*, p. 270).

The navy of England was esteemed formidable in Elizabeth's time; yet it consisted only of thirty-three ships, besides pinnaces (Coke's *Inst.*, bk. iv., chap. 1, *Consul* in parl for the navy). And the largest of these would not equal our fourth-rates at present. Raleigh advises never to build a ship of war above 600 tons¹. James was not negligent of the navy. In five years preceding 1623, he built ten new ships and expended 50,000*l* a-year on the fleet, besides the value of 36,000*l*. in timber, which he annually gave from the royal forests². The largest ship that had ever come from the English docks was built during this reign. She was only 1400 tons, and carried 64 guns (Stowe). The merchant ships, in cases of necessity, were instantly converted into ships of war. The king affirmed to the parliament, that the navy had never before been in so good a condition (*Parl. Hist.*, vol. vi., p. 94).

Every session of parliament, during this reign, we meet with grievous lamentations concerning the decay of trade, and the growth of popery; such violent propensities have men to complain of the present times, and to entertain discontent against their fortune and condition. The king himself was deceived by these popular complaints, and was at a loss to account for the total want of money, which he heard so much exaggerated (Rymel, tom. xvii, p. 413). It may, however, be affirmed, that, during no preceding period of English history, was there a more sensible increase, than during the reign of this monarch, of all the advantages which distinguish a flourishing people. Not only the peace which he maintained was favourable to industry and commerce; his turn of mind inclined him to promote the peaceful arts; and trade being as yet in its infancy, all additions to it must have been the more evident to every eye, which was not blinded by melancholy prejudices.³

¹ By Raleigh's account, in his discourse of the first invention of shipping, the fleet, in the 24th of the queen, consisted only of 13 ships, and was augmented afterwards 11. He probably reckoned some to be pinnaces, which Coke called ships.

² *Journ.*, 11 Mar., 1623. Sir William Monson makes the number amount only to nine new ships, p. 253.

³ That of the honest historian Stowe seems not to have been of the number. 'The great blessings of God,' says he, 'through increase of wealth on the common subjects of this land, especially upon the citizens of London, such within men's memory, and chiefly within these few years of peace, that, except there were now due mention of some sort made there of, it would in time to come be held incredible,' etc. In another place, 'Among the manifold tokens and signs of the infinite blessings of Almighty God bestowed upon this kingdom, by the wondrous and merciful establishing of peace within ourselves, and the full benefit of concord with all Christian nations and others of all which places, let no man dare to presume he can speak too much, whereof in truth there can never be enough said, neither was there ever any people less considerate and less thankful than at this time, being not willing to endure the memory of their present happiness, as well as in the universal increase of commerce and traffic throughout the kingdom, great building of royal ships, and by private merchants, the re-peopling of cities, towns and villages, besides the innumerable and sudden increase of fine and costly buildings, as well within the city of London as the suburbs thereof, especially within these twelve years,' etc.

By an account (The trade's increase, in the Harl Misc, vol. iii), which seems judicious and accurate, it appears, that all the seamen employed in the merchant service amounted to 10,000 men, which probably exceeds not the fifth part of their present number. Sir Thomas Overbury says, that the Dutch possessed three times more shipping than the English, but that their ships were of inferior burden to those of the latter (Remarks on his Travels, Harl. Misc., vol. ii, p. 349). Sir Will Monson computed the English naval power to be little or nothing inferior to the Dutch (Naval Tracts, pp 329, 350), which is surely an exaggeration. The Dutch at this time traded to England with 600 ships; England to Holland with 60 only (Raleigh's Observ)

A catalogue of the manufactures, for which the English were then eminent, would appear very contemptible, in comparison of those which flourish among them at present. Almost all the more elaborate and curious arts were only cultivated abroad, particularly in Italy, Holland, and the Netherlands. Ship-building, and the founding of iron cannon, were the sole arts in which the English then excelled. They seem, indeed, to have possessed alone the secret of the latter, and great complaints were made every parliament against the exportation of English ordnance.

Nine tenths of the commerce of the kingdom consisted in woollen goods (Journ., 26th May, 1621). Wool, however, was allowed to be exported, till the 19th of the king. Its exportation was then forbidden by proclamation; though that edict was never strictly executed. Most of the cloth was exported raw, and was dyed and dressed by the Dutch; who gained, it is pretended, 700,000*l.* a year by this manufacture.¹ A proclamation, issued by the king, against exporting cloth in that condition, had succeeded so ill, during one year, by the refusal of the Dutch to buy the dressed cloth, that great murmurs rose against it; and this measure was retracted by the king, and complained of by the nation, as if it had been the most impolitic in the world. It seems indeed to have been premature.

In so little credit was the fine English cloth even at home, that the king was obliged to seek expedients, by which he might engage the people of fashion to wear it (Rymer, tom xvii, p. 415). The manufacture of fine linen, was totally unknown in the kingdom (Id. *ibid.*).

The company of merchant adventurers, by their patent, possessed the sole commerce of woollen goods, though the staple commodity of the kingdom. An attempt, made during the reign of Elizabeth, to lay open this important trade, had been attended with bad consequences for a time, by a conspiracy of the merchant-adventurers not to make any purchases of cloth; and the queen immediately restored them their patent.

It was the groundless fear of a like accident, that enslaved the nation to those exclusive companies, which confined so much every branch of commerce and industry. The parliament, however, annulled, in the third of the king, the patent of the Spanish company, and the trade

¹ Journ., 20 May, 1614. Raleigh, in his observations, computes the loss at 400,000*l.* to the nation. There are about 80,000 undressed cloths, says he, exported yearly. He computes, besides, that about 100,000*l.* a year had been lost by kermies, not to mention other articles. The account of 200,000 cloths a year exported in Elizabeth's reign, seems to be exaggerated.

to Spain, which was, at first, very insignificant, soon became the most considerable in the kingdom. It is strange, that they were not thence encouraged to abolish all the other companies, and that they went no farther than obliging them to enlarge their bottom, and to facilitate the admission of new adventurers.

A board of trade was erected by the king in 1622 (Rymel, tom. xviii., p. 410). One of the reasons assigned in the commission, is to remedy the low price of wool, which begat complaints of the decay of the woollen manufactory. It is more probable, however, that this fall of prices proceeded from the increase of wool. The king likewise recommends it to the commissioners to inquire and examine, whether a greater freedom of trade, and an exemption from the restraint of exclusive companies, would not be beneficial. Men were then fettered by their own prejudices, and the king was justly afraid of embracing a bold measure, whose consequences might be uncertain. The digesting of a navigation act, of a like nature with the famous one executed afterwards by the republican parliament, is likewise recommended to the commissioners. The arbitrary powers, then commonly assumed by the privy-council, appear evidently through the whole tenor of the commission.

The silk manufacture had no footing in England; but, by James's direction, mulberry-trees were planted, and silk-worms introduced (Stowe). The climate seems unfavourable to the success of this project. The planting of hops increased much in England during the reign of James.

Greenland is thought to have been discovered about this period; and the whale-fishery was carried on with success; but the industry of the Dutch, in spite of all opposition, soon deprived the English of this source of riches. A company was erected for the discovery of the north-west passage, and many fruitless attempts were made for that purpose. In such noble projects, despair ought never to be admitted, till the absolute impossibility of success be fully ascertained.

The passage to the East Indies had been opened to the English during the reign of Elizabeth; but the trade to those parts was not entirely established till this reign, when the East India Company received a new patent, enlarged their stock to 1,500,000*l.* (Journ., 26th Nov., 1621), and fitted out several ships on these adventures. In 1609 they built a vessel of 1200 tons, the largest merchant ship that England had ever known. She was unfortunate, and perished by shipwreck. In 1611, a large ship of the company, assisted by a pinnace, maintained five several engagements with a squadron of Portuguese, and gained a complete victory over forces much superior. During the following years the Dutch company was guilty of great injuries towards the English, in expelling many of their factors, and destroying their settlements; but these violences were resented with a proper spirit by the court of England. A naval force was equipped under the Earl of Oxford (1622), and lay in wait for the return of the Dutch East India fleet. By reason of cross winds, Oxford failed of his purpose, and the Dutch escaped. Some time after, one rich ship was taken by vice-admiral Merwin, and it was stipulated by the Dutch to pay 70,000*l.* to the English company, in consideration of the losses which that

company had sustained (Johnston Hist, lib 19) But neither this stipulation, nor the fear of reprisals, nor the sense of that friendship which subsisted between England and the States, could restrain the avidity of the Dutch company, or render them equitable in their proceedings towards their allies. Impatient to have the sole possession of the spice trade, which the English then shared with them, they assumed a jurisdiction over a factory of the latter in the island of Amboyna, and on very improbable, and even absurd, pretences, seized all the factors, with their families, and put them to death with the most inhuman tortures. This dismal news arrived in England at the time when James, by the prejudices of his subjects and the intrigues of his favourite, was constrained to make a breach with Spain, and he was obliged, after some remonstrances, to acquiesce in this indignity from a state whose alliance was now become necessary to him. It is remarkable, that the nation, almost without a murmur, submitted to this injury from their protestant confederates, an injury which, besides the horrid enormity of the action, was of much deeper importance to national interest, than all those which they were so impatient to resent from the house of Austria.

The exports of England from Christmas, 1612, to Christmas, 1613, are computed at 2,487,435*l.* the imports at 2,141,151*l.* so that the balance in favour of England was 346,284*l.* (Misselden's Circle of Commerce, p. 121). But in 1622 the exports were 2,320,436*l.* the imports 2,619,315*l.* which makes a balance of 298,879*l.* against England (Id. *Ibid.*). The coinage of England from 1599 to 1699 amounted to 4,779,314*l.* 13*s.* 4*d.* (Happy future State of England, p. 78) a proof that the balance in the main was considerably in favour of the kingdom. As the annual imports and exports together rose to near 5,000,000*l.* and the customs never yielded so much as 200,000*l.* a year, of which tonnage made a part, it appears that the new rates, affixed by James, did not, on the whole amount to one shilling in the pound, and consequently were still inferior to the intention of the original grant of parliament. The East India company usually carried out a third of their cargo in commodities (Munn's Discourse on the East India Trade). The trade to Turkey was one of the most gainful to the nation (Munn's Discourse on the East India Trade, p. 17). It appears that copper halfpence and farthings began to be coined in this reign (Anderson, vol. 1., p. 447). Tradesmen had commonly carried on their retail business chiefly by means of leaden tokens. The small silver penny was soon lost, and at this time was nowhere to be found.

What chiefly renders the reign of James memorable, is the commencement of the English colonies in America; colonies established on the noblest footing that has been known in any age or nation. The Spaniards, being the first discoverers of the new world, immediately took possession of the precious mines which they found there; and, by the allurements of great riches, they were tempted to depopulate their own country, as well as that which they conquered, and added the vice of sloth to those of avidity and barbarity, which had attended their adventures in those renowned enterprises. That fine coast was entirely neglected which reaches from St. Augustin to Cape Breton, and

which lies in all the temperate climates, is watered by noble rivers, and offers a fertile soil, but nothing more, to the industrious planter, Peopled gradually from England by the necessitous and indigent, who, at home, increased neither wealth nor populousness, the colonies, which were planted along that tract, have promoted the navigation, encouraged the industry, and even perhaps multiplied the inhabitants of their mother-country. The spirit of independence, which was reviving in England, here shone forth in its full lustre, and received new accession from the aspiring character of those who, being discontented with the established church and monarchy, had fought for freedom amidst those savage deserts.

Queen Elizabeth had done little more than given a name to the continent of Virginia, and, after her planting one feeble colony, which quickly decayed, that country was entirely abandoned. But when peace put an end to the military enterprises against Spain, and left ambitious spirits no hopes of making any longer such rapid advances towards honour and fortune, the nation began to second the pacific intentions of its monarch, and to seek a safer, though slower, expedient for acquiring riches and glory. In 1606, Newport carried over a colony, and began a settlement, which the company erected by patent for that purpose in London and Bristol took care to supply with yearly recruits of provisions, utensils, and new inhabitants. About 1609, Argal discovered a more direct and shorter passage to Virginia, and left the tract of the ancient navigators, who had first directed their course southwards to the tropic, sailed westward by means of the trade winds, and then turned northward, till they reached the English settlements. The same year, 500 persons, under Sir Thomas Gates and Sir George Somers, were embarked for Virginia. Somers' ship, meeting with a tempest, was driven into the Bermudas, and laid the foundation of a settlement in those islands. Lord Delaware afterwards undertook the government of the English colonies; but notwithstanding all his care, seconded by supplies by James, and by money raised by the first lottery ever known in the kingdom, such difficulties attended the settlement of these countries, that, in 1614, there were not alive more than 400 men, of all that had been sent thither. After supplying themselves with provisions more immediately necessary for the support of life, the new planters began the cultivating of tobacco; and James, notwithstanding his antipathy to that drug, which he affirmed to be pernicious to men's morals as well as their health (Rymer, tom. xvii., p. 621), gave them permission to enter it in England; and he inhibited by proclamation all importation of it from Spain (Rymer, tom. xviii., pp. 621, 633). By degrees, new colonies were established in that continent, and gave new names to the places where they settled, leaving that of Virginia to the province first planted. The island of Barbadoes was also planted in this reign.

Speculative reasoners, during that age, raised many objections to the planting of those remote colonies; and foretold that, after draining their mother-country of inhabitants, they would soon shake off her yoke, and erect an independent government in America; but time has shown that the views entertained by those who encouraged such generous undertakings, were more just and solid. A mild government

and great naval force have preserved, and may still preserve during some time, the dominion of England over her colonies. And such advantages have commerce and navigation reaped from these establishments, that more than a fourth of the English shipping is at present computed to be employed in carrying on the traffic with the American settlements.

Agriculture was anciently very imperfect in England. The sudden transitions, so often mentioned by historians, from the lowest to the highest price of grain, and the prodigious inequality of its value in different years, are sufficient proofs that the produce depended entirely on the seasons, and that art had as yet done nothing to fence against the injuries of the heavens. During this reign, considerable improvements were made, as in most arts, so in this, the most beneficial of any. A numerous catalogue might be formed of books and pamphlets treating of husbandry, which were written about this time. The nation, however, was still dependent on foreigners for daily bread, and though its exportation of grain now forms a considerable branch of its commerce, notwithstanding its probable increase of people, there was, in that period, a regular importation from the Baltic as well as from France, and if it ever stopped, the bad consequences were sensibly felt by the nation. Sir Walter Raleigh, in his observations, computes that two millions went out at one time for corn. It was not till the fifth of Elizabeth that the exportation of corn had been allowed in England; and Camden observes that agriculture, from that moment, received new life and vigour.

The endeavours of James, or, more properly speaking, those of the nation, for promoting trade, were attended with greater success than those for the encouragement of learning. Though the age was by no means destitute of eminent writers, a very bad taste in general prevailed during that period, and the monarch himself was not a little infected with it.

On the origin of letters among the Greeks, the genius of poets and orators, as might naturally be expected, was distinguished by an amiable simplicity, which, whatever rudeness may sometimes attend it, is so fitted to express the genuine movements of nature and passion, that the compositions possessed of it must ever appear valuable to the discerning part of mankind. The glowing figures of discourse, the pointed antithesis, the unnatural conceit, the jingle of words, such false ornaments were not employed by early writers, not because they were rejected, but because they scarcely ever occurred to them. An easy, unforced strain of sentiment runs through their compositions, though at the same time we may observe that, amidst the most elegant simplicity of thought and expression, one is sometimes surprised to meet with a poor conceit, which had presented itself unsought for, and which the author had not acquired critical observation enough to condemn.¹ A bad taste seizes with avidity these frivolous beauties, and even perhaps a good taste, ere surfeited by them, they multiply every

¹ The name of Polynices, one of Oedipus's sons, means in the original 'much quarrelling'. In the alterations between the two brothers, in *Æschylus*, *Sophocles*, and *Euripides*, this conceit is employed, and it is remarkable, that a poor a conundrum could not be rejected by any of these three poets, so justly celebrated for their taste and simplicity. What could

day more and more in the fashionable compositions; nature and good sense are neglected, laboured ornaments studied and admired, and a total degeneracy of style and language prepares the way for barbarism and ignorance. Hence the Asiatic manner was found to depart so much from the simple purity of Athens hence that tinsel eloquence, which is observable in many of the Roman writers, from which Cicero himself is not wholly exempted, and which so much prevails in Ovid, Seneca, Lucan, Martial, and the Plinys

On the revival of letters, when the judgment of the public is yet raw and unformed, this false glister catches the eye, and leaves no room, either in eloquence or poetry, for the durable beauties of solid sense and lively passion. The reigning genius is then diametrically opposite to that which prevails on the first origin of arts. The Italian writers, it is evident, even the most celebrated, have not reached the proper simplicity of thought and composition, and in Petrarch, Tasso, Guarini, frivolous witticisms and forced conceits are but too predominant. The period, during which letters were cultivated in Italy, was so short as scarcely to allow leisure for correcting this adulterated relish

The more early French writers are liable to the same reproach. Voiture, Balzac, even Corneille, have too much affected those ambitious ornaments, of which the Italians in general, and the least pure of the ancients, supplied them with so many models. And it was not till late, that observation and reflection gave rise to a more natural turn of thought and composition among that elegant people.

A like character may be extended to the first English writers; such as flourished during the reigns of Elizabeth and James, and even till long afterwards. Learning, on its revival in this island, was attired in the same unnatural garb which it wore at the time of its decay among the Greeks and Romans. And, what may be regarded as a misfortune, the English writers were possessed of great genius before they were endowed with any degree of taste, and by that means gave a kind of sanction to those forced turns and sentiments which they so much affected. Their distorted conceptions and expressions are attended with such vigour of mind, that we admire the imagination which produced them, as much as we blame the want of judgment which gave them admittance. To enter into an exact criticism of the writers of that age, would exceed our present purpose. A short character of the most eminent, delivered with the same freedom which history exercises over kings and ministers, may not be improper. The national prepossessions which prevail, will perhaps render the former liberty not the least perilous for an author.

If Shakespeare be considered as a man born in a rude age, and educated in the lowest manner, without any instruction, either from the world or from books, he may be regarded as a prodigy: if represented as a poet, capable of furnishing a proper entertainment to a refined or intelligent audience, we must abate much of this eulogy. In his compositions, we regret that many irregularities, and even absurdities, Shakespeare have done worse? Terence has his *'inceptio est amentum, non amantium'*. Many similar instances will occur to the student. It is well known that Aristotle treats very seriously of poets, divides them into several classes, and recommends the use of them to orators.

should so frequently disfigure the animated and passionate scenes intermixed with them, and at the same time, we perhaps admire the more those beauties, on account of their being surrounded with such deformities. A striking peculiarity of sentiment, adapted to a singular character, he frequently hits, as it were by inspiration; but a reasonable propriety of thought he cannot for any time uphold. Nervous and picturesque expressions, as well as descriptions, abound in him, but it is in vain we look either for purity or simplicity of diction. His total ignorance of all theatrical art and conduct, however material a defect, yet, as it affects the spectator, rather than the reader, we can more easily excuse, than that want of taste which often prevails in his productions, and which gives way, only by intervals, to the irradiations of genius. A great and fertile genius he certainly possessed, and one enriched equally with a tragic and comic vein, but he ought to be cited as a proof how dangerous it is to rely on these advantages alone for attaining an excellence in the finer arts.¹ And there may even remain a suspicion that we over-rate, if possible, the greatness of his genius, in the same manner as bodies often appear more gigantic, on account of their being disproportioned and misshapen. William Shakespeare died in 1616, aged 53 years.

Jonson possessed all the learning which was wanting to Shakespeare, and wanted all the genius of which the other was possessed. Both of them were equally deficient in taste and elegance, in harmony and correctness. A servile copyist of the ancients, Jonson translated into bad English the beautiful passages of the Greek and Roman authors, without accommodating them to the manners of his age and country. His merit has been totally eclipsed by that of Shakespeare, whose rude genius prevailed over the rude art of his contemporary. The English theatre has ever since taken a strong tincture of Shakespeare's spirit and character, and thence it has proceeded, that the nation has undergone from all its neighbours, the reproach of barbarism, from which its valuable productions in some other parts of learning would otherwise have exempted it. Jonson had a pension of a hundred marks from the king, which Charles afterwards augmented to a hundred pounds. He died in 1637, aged 63.

Fairfax has translated Tasso with an elegance and ease, and, at the same time, with an exactness, which, for that age, are surprising. Each line in the original is faithfully rendered by a correspondent line in the translation. Harrington's translation of Amos is not likewise without its merit. It is to be regretted that these poets should have imitated the Italians in their stanza, which has a prolixity and uniformity in it that displeases in long performances. They had otherwise, as well as Spenser, who went before them, contributed much to the polishing and refining of English versification.

In Donne's satires, when carefully inspected, there appear some flashes of wit and ingenuity, but these are totally suffocated and buried by the hardest and most uncouth expression that is anywhere to be met with.

If the poetry of the English was so rude and imperfect during that age, we may reasonably expect that their prose would be liable to still

¹ 'Invenire etiam barbari solent, disponere et ornare non nisi eruditus' Plin

greater objections. Though the latter appears the more easy, as it is the more natural method of composition, it has ever in practice been found the more rare and difficult; and there scarcely is an instance, in any language, that it has reached a degree of perfection, before the refinement of poetical numbers and expression. English prose, during the reign of James, was written with little regard to the rules of grammar, and with a total disregard to the elegance and harmony of the period. Stuffed with Latin sentences and quotations, it likewise imitated those inversions, which, however forcible and graceful in the ancient languages, are entirely contrary to the idiom of the English. I shall, indeed, venture to affirm that, whatever uncouth phrases and expressions occur in old books, they were chiefly owing to the unformed taste of the author, and that the language spoken in the courts of Elizabeth and James was very little different from that which we meet with at present in good company. Of this opinion, the little scraps of speeches which are found in the parliamentary journals, and which carry an air so opposite to the laboured orations, seem to be a sufficient proof, and there want not productions of that age, which, being written by men who were not authors by profession, retain a very natural manner, and may give us some idea of the language which prevailed among men of the world. I shall particularly mention Sir John Davis's discovery, Throgmorton's, Essex's, and Nevil's letters. In a more early period, Cavendish's life of Cardinal Wolsey, the pieces that remain of Bishop Gardiner, and Anne Boleyn's letter to the king, differ little or nothing from the language of our time.

The great glory of literature in this island, during the reign of James, was Lord Bacon. Most of his performances were composed in Latin, though he possessed neither the elegance of that, nor of his native tongue. If we consider the variety of talents displayed by this man; as a public speaker, a man of business, a wit, a courtier, a companion, an author, a philosopher, he is justly the object of great admiration. If we consider him merely as an author and philosopher, the light in which we view him at present, though very estimable, he was yet inferior to his cotemporary Galileo, perhaps even to Kepler. Bacon pointed out at a distance the road to true philosophy. Galileo both pointed it out to others, and made himself considerable advances in it. The Englishman was ignorant of geometry; the Florentine revived that science, excelled in it, and was the first that applied it, together with experiment, to natural philosophy. The former rejected, with the most positive disdain, the system of Copernicus; the latter fortified it with new proofs, derived both from reason and the senses. Bacon's style is stiff and rigid, his wit, though often brilliant, is also often unnatural and far-fetched, and he seems to be the original of those pointed similes and long-spun allegories, which so much distinguish the English authors. Galileo is a lively and agreeable, though somewhat a prolix writer. But Italy, not united in any single government, and perhaps satiated with that literary glory which it has possessed both in ancient and modern times, has too much neglected the renown which it has acquired, by giving birth to so great a man. That national spirit which prevails among the English, and which forms their great happiness, is the cause why they bestow on all their eminent writers, and

on Bacon among the rest, such praises and acclamations, as may often appear partial and excessive. Francis Bacon died in 1626, in the 66th year of his age.

If the reader of Raleigh's history can have the patience to wade through the Jewish and Rabbinical learning which compose the half of the volume, he will find, when he comes to the Greek and Roman story, that his pains are not unrewarded. Raleigh is the best model of that ancient style, which some writers would affect to revive at present. He was beheaded in 1618, aged 66 years.

Camden's history of Queen Elizabeth may be esteemed good composition, both for style and matter. It is written with simplicity of expression, very rare in that age, and with a regard to truth. It would not, perhaps, be too much to affirm, that it is among the best historical productions which have yet been composed by any Englishman. It is well known that the English have not much excelled in that kind of literature. He died in 1623, aged 73 years.

We shall mention the king himself at the end of these English writers, because that is his place when considered as an author. It may safely be affirmed, that the mediocrity of James's talents in literature, joined to the great change in national taste, is one cause of that contempt under which his memory labours, and which is often carried by party-writers to a great extreme. It is remarkable how different from ours were the sentiments of the ancients with regard to learning. Of the first twenty Roman emperors, counting from Cæsar to Severus, above the half were authors, and though few of them seem to have been eminent in that profession, it is always remarked to their praise, that, by their example, they encouraged literature. Not to mention Germanicus, and his daughter Agrippina, persons so nearly allied to the throne, the greater part of the classic writers, whose works remain, were men of the highest quality. As every human advantage is attended with inconveniences, the change of men's ideas in this particular may probably be ascribed to the invention of printing, which has rendered books so common, that even men of slender fortunes can have access to them.

That James was but a middling writer may be allowed, that he was a contemptible one can by no means be admitted. Whoever will read his Basilicon Doron, particularly the two last books, the true law of free monarchies, his answer to Cardinal Perion, and almost all his speeches and messages to parliament, will confess him to have possessed no mean genius. If he wrote concerning witches and apparitions, who, in that age, did not admit the reality of these fictitious beings? If he has composed a commentary on the revelations, and proved the Pope to be Antichrist, may not a similar reproach be extended to the famous Napier, and even to Newton, at a time when learning was much more advanced than during the reign of James? From the grossness of its superstitions we may infer the ignorance of an age, but never should pronounce concerning the folly of an individual from his admitting popular errors, consecrated by the appearance of religion.

Such a superiority do the pursuits of literature possess above every other occupation, that even he who attains but a mediocrity in them,

merits the pre-eminence above those that excel the most in the common and vulgar professions. The speaker of the house of commons is usually an eminent lawyer, yet the harangue of his majesty will always be found much superior to that of the speaker in every parliament during this reign.

Every science, as well as polite literature, must be considered as being yet in its infancy. Scholastic learning and polemical divinity retarded the growth of all true knowledge. Sir Henry Saville, in the preamble of that deed by which he annexed a salary to the mathematical and astronomical professors in Oxford, says that geometry was almost totally abandoned and unknown in England (Rymer, tom xvii, p 217). The best learning of that age was the study of the ancients. Casaubon, eminent for this species of knowledge, was invited over from France by James, and encouraged by a pension of 300*l.* a year, as well as by church preferments (Ibid, p 709). The famous Antonio di Dominis, Archbishop of Spalatro, no despicable philosopher, came likewise into England, and afforded great triumph to the nation by their gaining so considerable a proselyte from the papists. But the mortification followed soon after, the archbishop, though advanced to some ecclesiastical preferments (Rymer, tom xvii, p 95), received not encouragement sufficient to satisfy his ambition, he made his escape into Italy, where he died in confinement.

CHAPTER L.

CHARLES I.

A parliament at Westminster.—At Oxford.—The naval expedition against Spain.—Second parliament.—Impeachment of Buckingham.—Violent measures of the court.—War with France.—Expedition to the isle of Rhé.

NO sooner had Charles taken (March 27, A.D. 1625) into his hands the reins of government, than he showed an impatience to assemble the great council of the nation, and he would gladly, for the sake of despatch, have called together the same parliament which had sitten under his father, and which lay at that time under prorogation. But being told that this measure would appear unusual, he issued writs for summoning a new parliament on the 7th of May, and it was not without regret that the arrival of the Princess Henrietta, whom he had espoused by proxy, obliged him to delay, by repeated prorogations, their meeting till June 18, when they assembled at Westminster for the despatch of business. The young prince, inexperienced and impolitic, regarded as sincere all the praises and caresses with which he had been loaded while active in procuring the rupture with the house of Austria. And besides that he laboured under great necessities, he hastened with alacrity to a period when he might receive the most undoubted testimony of the dutiful attachment of his subjects. His discourse to the parliament was full of simplicity and cordiality. He

lightly mentioned the occasion which he had for supply¹ He employed no intrigue to influence the suffrages of the members He would not even allow the officers of the crown, who had seats in the house, to mention any particular sum which might be expected by him Secure of the affections of the commons, he was resolved that their bounty should be entirely their own deed; unasked, unsolicited, the genuine fruit of sincere confidence and regard

The house of commons accordingly took into consideration the business of supply They knew that all the money granted by the last parliament had been expended on naval and military armaments, and that great anticipations were likewise made on the revenues of the crown They were not ignorant that Charles was loaded with a large debt, contracted by his father, who had borrowed money both from his own subjects, and from foreign princes They had learned by experience, that the public revenue could with difficulty maintain the dignity of the crown, even under the ordinary charges of government They were sensible that the present war was, very lately, the result of their own importunate applications and entreaties, and that they had solemnly engaged to support their sovereign in the management of it They were acquainted with the difficulty of military enterprises directed against the whole house of Austria, against the King of Spain, possessed of the greatest riches and most extensive dominions of any prince in Europe, against the Emperor Ferdinand, hitherto the most fortunate monarch of his age, who had subdued and astonished Germany by the rapidity of his victories Deep impressions they saw must be made by the English sword, and a vigorous offensive war be waged against these mighty potentates, ere they would resign a principality, which they had fully subdued, and which they held in secure possession, by its being surrounded with all their other territories

To answer, therefore, all these great and important ends, to satisfy their young king in the first request which he made them, to prove their sense of the many royal virtues, particularly economy, with which Charles was endowed, the house of commons, conducted by the wisest and ablest senators that had ever flourished in England, thought proper to confer on the king a supply of two subsidies, amounting to 112,000*l*.²

This measure, which discovers rather a cruel mockery of Charles, than any serious design of supporting him, appears so extraordinary, when considered in all its circumstances, that it naturally summons up our attention, and raises an inquiry concerning the causes of a conduct, unprecedented in an English parliament So numerous an assembly, composed of persons of various dispositions, was not, it is probable, wholly influenced by the same motives, and few declared openly their true reason We shall, therefore, approach nearer to the truth, if we mention all the views which the present conjuncture could suggest to them

It is not to be doubted, but spleen and ill-will against the Duke of Buckingham had an influence with many So vast and rapid a fortune, so little merited, could not fail to excite public envy, and, however men's hatred might have been suspended for a moment, while the duke's

¹ Rushworth vol 1, p 171. *Phil Hist*, vol vi, p 346, Franklin, p 208.

² A subsidy was now fallen to about 56,000*l* Cibbala, p 224, first edit.

conduct seemed to gratify their passions and their prejudices, it was impossible for him long to preserve the affections of the people. His influence over the modesty of Charles exceeded even that which he had acquired over the weakness of James, nor was any public measure conducted but by his counsel and direction. His vehement temper prompted him to raise suddenly, to the highest elevation, his flatterers and dependents, and upon the least occasion of displeasure, he threw them down with equal impetuosity and violence. Implacable in his hatred, fickle in his friendships, all men were either regarded as his enemies, or dreaded soon to become such. The whole power of the kingdom was grasped by his insatiable hand, while he both engrossed the entire confidence of his master, and held, invested in his single person, the most considerable offices of the crown.

However the ill-humour of the commons might have been increased by these considerations, we are not to suppose them the sole motives. The last parliament of James, amidst all their joy and festivity, had given him a supply very disproportioned to his demand and to the occasion. And, as every house of commons, which was elected during forty years, succeeded to all the passions and principles of their predecessors, we ought rather to account for this obstinacy from the general situation of the kingdom during that whole period, than from any circumstances which attended this particular conjuncture.

The nation was very little accustomed at that time to the burthen of taxes, and had never opened their purses in any degree for supporting their sovereign. Even Elizabeth, notwithstanding her vigour and frugality, and the necessity was in which she was engaged, had reason to complain of the commons in this particular, nor could the authority of that princess, which was otherwise almost absolute, ever extort from them the requisite supplies. Habits, more than reason, we find, in everything, to be the governing principle of mankind. In this view likewise, the sinking of the value of subsidies must be considered as a loss to the king. The parliament, swayed by custom, would not augment their number in the same proportion.

The puritanical party, though disguised, had a great authority over the kingdom, and many of the leaders among the commons had secretly embraced the rigid tenets of that sect. All these were disgusted with the court, both by the prevalence of the principles of civil liberty essential to their party, and on account of the resentment under which they were held by the established hierarchy. In order to fortify himself against the resentment of James, Buckingham had affected popularity, and entered into the cabals of the puritans, but, being secure of the confidence of Charles, he had since abandoned this party, and, on that account, was the more exposed to their hatred and resentment. Though the religious schemes of many of the puritans, when explained, appear pretty frivolous, we are not thence to imagine, that they were pursued by none but persons of weak understandings. Some men of the greatest parts and most extensive knowledge that the nation at this time produced, could not enjoy any peace of mind, because obliged to hear prayers offered up to the Divinity by a priest covered with a white linen vestment.

The match with France and the articles in favour of catholics, which

were suspected to be in the treaty, were likewise causes of disgust to this whole party, though it must be remarked, that the connections with that crown were much less obnoxious to the protestants, and less agreeable to the catholics, than the alliance formerly projected with Spain, and were therefore received rather with pleasure than dissatisfaction.

To all these causes, we must yet add another, of considerable moment. The house of commons, we may observe, was almost entirely governed by a set of men of the most uncommon capacity and the largest views, men, who were now formed into a regular party, and united, as well by fixed aims and projects, as by the hardships which some of them had undergone in prosecution of them. Among these we may mention the names of Sir Edward Coke, Sir Edwin Sandys, Sir Robert Philips, Sir Francis Seymour, Sir Dudley Digges, Sir John Elliot, Sir Thomas Wentworth, Mr Selden, and Mr Pym. Animated with a warm regard to liberty, these generous patriots saw with regret an unbounded power exercised by the crown, and were resolved to seize the opportunity, which the king's necessities offered them, of reducing the prerogative within more reasonable compass. Though their ancestors had blindly given way to practices and precedents favourable to kingly power, and had been able, notwithstanding, to preserve some small remains of liberty; it would be impossible, they thought, when all these pretensions were methodized and prosecuted by the increasing knowledge of the age, to maintain any shadow of popular government, in opposition to such unlimited authority in the sovereign. It was necessary to fix a choice, either to abandon entirely the privileges of the people, or to secure them by firmer and more precise barriers than the constitution had hitherto provided for them. In this dilemma, men of such aspiring geniuses and such independent fortunes could not long deliberate, they boldly embraced the side of freedom, and resolved to grant no supplies to their necessitous prince, without extorting concessions in favour of civil liberty. The end, they esteemed beneficent and noble; the means, regular and constitutional. To grant or refuse supplies was the undoubted privilege of the commons. And as all human governments, particularly those of a mixed frame, are in continual fluctuation, it was as natural, in their opinion, and allowable, for popular assemblies to take advantage of favourable incidents, in order to secure the subject, as for monarchs, in order to extend their own authority. With pleasure they beheld the king involved in a foreign war, which rendered him every day more dependent on the parliament; while at the same time the situation of the kingdom, even without any military preparations, gave it sufficient security against all invasion from foreigners. Perhaps, too, it had partly proceeded from expectations of this nature, that the popular leaders had been so urgent for a rupture with Spain, nor is it credible, that religious zeal could so far have blinded all of them as to make them discover, in such a measure, any appearance of necessity, or hopes of success.

But, however natural all these sentiments might appear to the country party, it is not to be imagined, that Charles would entertain the same ideas. Strongly prejudiced in favour of the duke, whom he had heard so highly extolled in parliament, he could not conjecture the

cause of so sudden an alteration in their opinions. And when the war, which they themselves had so earnestly solicited, was at last commenced, the immediate desertion of their sovereign could not but seem very unaccountable. Even though no farther motive had been suspected, the refusal of supply, in such circumstances, would naturally to him appear cruel and deceitful, but when he perceived, that this measure proceeded from an intention of encroaching on his authority, he failed not to regard these aims as highly criminal and traitorous. Those lofty ideas of monarchical power, which were very commonly adopted during that age, and to which the ambiguous nature of the English constitution gave so plausible an appearance, were firmly riveted in Charles, and however moderate his temper, the natural and unavoidable prepossessions of self-love, joined to the late uniform precedents in favour of prerogative, had made him regard his political tenets as certain and uncontroverted. Taught to consider even the ancient laws and constitution more as lines to direct his conduct than barriers to withstand his power, a conspiracy to erect new ramparts, in order to straiten his authority, appeared but one degree removed from open sedition and rebellion. So atrocious in his eyes was such a design, that he seems even unwilling to impute it to the commons, and, though he was constrained (July 11) to adjourn the parliament by reason of the plague, which at that time raged in London, he immediately re-assembled them at Oxford, and (Aug. 1st) made a new attempt to gain from them some supplies in such an urgent necessity.

Charles now found himself obliged to depart from that delicacy, which he had formerly maintained. By himself or his ministers, he entered into a particular detail, both of the alliances which he had formed, and of the military operations which he had projected (Dugdale, pp. 25, 26). He told the parliament that, by a promise of subsidies, he had engaged the King of Denmark to take part in the war; that this monarch intended to enter Germany by the north, and to rouse to arms those princes, who impatiently longed for an opportunity of asserting the liberty of the empire, that Mansfeldt had undertaken to penetrate with an English army into the Palatinate, and by that quarter to excite the members of the evangelical union; that the states must be supported in the unequal warfare which they maintained with Spain; that no less a sum than 700,000*l* a year had been found, by computation, requisite for all these purposes, that the maintenance of the fleet and the defence of Ireland demanded an annual expense of 400,000*l*, that he himself had already exhausted and anticipated, in the public service, his whole revenue, and had scarcely left sufficient for the daily subsistence of himself and his family (Paul Hist., vol. vi, p. 396), that on his accession to the crown, he found a debt of above 300,000*l*, contracted by his father, in support of the Palatine, and that, while Prince of Wales, he had himself contracted debts, notwithstanding his great frugality, to the amount of 70,000*l*, which he had expended entirely on naval and military armaments. After mentioning all these facts, the king even condescended to use entreaties. He said, that this request was the first that he had ever made them, that he was young and in the commencement of his reign, and, if he now met with kind and dutiful usage, it would endeavour to him the use of parliaments,

and would for ever preserve an entire harmony between him and his people.¹

To these reasons the commons remained inexorable. Notwithstanding that the king's measures, on the supposition of a foreign war, which they had constantly demanded, were altogether unexceptionable, they obstinately refused any farther aid. Some members favourable to the court, having insisted on an addition of two fifteenths to the former supply, even this pittance was refused (Rush, vol 1, p. 190), though it was known that a fleet and army were lying at Portsmouth, in great want of pay and provisions, and that Buckingham, the admiral, and the treasurer of the navy, had advanced on their own credit near 100,000*l* for the sea-service (Parl. Hist, vol vi, p. 390). Besides all their other motives, the House of Commons had made a discovery, which, as they wanted but a pretence for their refusal, inflamed them against the court and against the Duke of Buckingham.

When James deserted the Spanish alliance, and counted that of France, he had promised to furnish Lewis, who was entirely destitute of naval force, with one ship of war, together with seven armed vessels, hired from the merchants. These the French court had pretended they would employ against the Genoese, who, being firm and useful allies to the Spanish monarchy, were naturally regarded with an evil eye, both by the King of France and of England. When these vessels, by Charles's orders, arrived at Diepe, there arose a strong suspicion, that they were to serve against Rochelle. The sailors were inflamed. That race of men, who are at present both careless and ignorant in all matters of religion, were at that time only ignorant. They drew up a remonstrance to Pennington, their commander, and signing all their names in a circle, lest they should discover theingleaders, they laid it under his prayer-book. Pennington declared, that he would rather be hanged in England for disobedience, than fight against his brother protestants in France. The whole squadron sailed immediately to the Downs. There they received new orders from Buckingham, lord admiral, to return to Diepe. As the duke knew, that authority alone would not suffice, he employed much art and many subtilties to engage them to obedience, and a rumour, which was spread, that peace had been concluded by the French king and the Huguenots, assisted him in his purpose. When they arrived at Diepe, they found that they had been deceived. Sir Ferdinando Gorges, who commanded one of the vessels, broke through and returned to England. All the officers and sailors of all the other ships, notwithstanding great orders made them by the French, immediately deserted. One gunner alone preferred duty towards his king to the cause of religion; and he was afterwards killed in charging a cannon before Rochelle.² The care which historians have taken to record this frivolous event, proves with what pleasure the news was received by the nation.

The House of Commons, when informed of these transactions, showed the same attachment with the sailors for the protestant religion, nor was their zeal much better guided by reason and sound policy. It was not

¹ Rush, vol 1, pp 177, 178, etc., Parl. Hist, vol vi, p. 399, Franklyn, pp 108, 109; Journ, 10 Aug, 1625

² Franklyn, p. 109, Rush, vol 1 pp 175, 176, etc., 325, 326, etc

considered, that it was highly probable the king and the duke themselves had here been deceived by the artifices of France, nor had they any hostile intention against the Huguenots, that, were it otherwise, yet might their measures be justified by the most obvious and most received maxims of civil policy, that, if the force of Spain was so exorbitant as the commons imagined, the French monarch was the only prince that could oppose its progress, and preserve the balance of Europe, that his power was at present fettered by the Huguenots, who, being possessed of many privileges and even of fortified towns, formed an empire within his empire, and kept him in perpetual jealousy and inquietude, that an insurrection had been at that time, wantonly and voluntarily, formed by their leaders, who, being disgusted in some court intrigue, took advantage of the never-failing pretence of religion, in order to cover their rebellion, that the Dutch, influenced by these views, had ordered a squadron of twenty ships to join the French fleet, employed against the inhabitants of Rochelle (Journ, 18 April, 1626), that the Spanish monarch, sensible of the same consequences, secretly supported the protestants of France; and that all princes had ever sacrificed to reasons of state the interests of their religion in foreign countries. All these obvious considerations had no influence. Great murmurs and discontents still prevailed in parliament. The Huguenots, though they had no ground of complaint against the French court, were thought to be as much entitled to assistance from England, as if they had taken arms in defence of their liberties and religion against the persecuting rage of the Catholics. And it plainly appears from this incident, as well as from many others, that of all the European nations, the British were at that time, and till long after, the most under the influence of that religious spirit, which tends rather to inflame bigotry than increase peace and mutual charity.

On this occasion, the commons renewed their eternal complaints against the growth of popery, which was ever the chief of their grievances, and now their only one (Franklyn, p 3, etc.) They demanded a strict execution of the penal laws against the Catholics, and remonstrated against some late pardons granted to priests (Paul Hist, vol vi. 374, Journ, 1 Aug 1625). They attacked Montague, one of the king's chaplains, on account of a moderate book, which he had lately published, and which, to their great disgust, saved virtuous Catholics, as well as other Christians, from eternal torments (Paul Hist, vol vi., p 353, Journ, 7 July, 1625). Charles gave them a gracious and a compliant answer to all their remonstrances. He was, however, in his heart, extremely averse to these furious measures. Though a determined Protestant, by principle as well as inclination, he had entertained no violent horror against popery, and a little humanity, he thought, was due by the nation to the religion of their ancestors. That degree of liberty, which is now indulged to Catholics, though a party much more obnoxious than during the reign of the Stuarts, it suited neither with Charles's sentiments nor the humour of the age to allow them. An abatement of the more rigorous laws was all he intended, and his engagements with France, notwithstanding their regular execution had never been promised or expected, required

of him some indulgence. But so unfortunate was this prince, that no measures, embraced during his whole reign, were ever attended with more unhappy and more fatal consequences.

The extreme rage against popery was a sure characteristic of puritanism. The House of Commons discovered other infallible symptoms of the prevalence of that party. They petitioned the king for replacing such able clergy as had been silenced for want of conformity to the ceremonies.¹ They also enacted laws for the strict observance of Sunday, which the Puritans affected to call the Sabbath, and which they sanctified by the most melancholy indolence.² It is to be remarked, that the different appellations of this festival were at that time known symbols of the different parties.

The king, finding that the parliament was resolved to grant him no supply, and would furnish him with nothing but empty protestations of duty (Franklyn, p. 113; Rushworth, vol. i. p. 190), or disagreeable complaints of grievances, took advantage of the plague,³ which began to appear at Oxford, and on that pretence, immediately dissolved them. By finishing the session with a dissolution, instead of a prorogation, he sufficiently expressed his displeasure at their conduct.

To supply the want of parliamentary aids, Charles (Aug. 12) issued privy-seals for borrowing money from his subjects (Rush, vol. i. p. 192, Paul Hist., vol. vi. p. 407). The advantage reaped by this expedient was a small compensation for the disgust which it occasioned, by means, however, of that supply, and by other expedients, he was (Oct. 1), though with difficulty, enabled to equip his fleet. It consisted of eighty vessels, great and small, and carried on board an army of 10,000 men. Sir Edward Cecil, lately created Viscount Winbleton, was entrusted with the command. He sailed immediately for Cadiz, and found the bay full of Spanish ships of great value. He either neglected to attack these ships, or attempted it preposterously. The army was landed, and a fort taken, but the undisciplined soldiers, finding store of wine, could not be restrained from the utmost excesses. Further stay appearing fruitless, they were re-embarked, and the fleet put to sea with an intention of intercepting the Spanish galleons. But the plague having seized the seamen and soldiers, they were obliged (Novem.) to abandon all hopes of this prize, and return to England. Loud complaints were made against the court for entrusting so important a command to a man like Cecil, whom, though he possessed great experience, the people, judging by the event, esteemed of slender capacity (Franklyn, p. 113, Rushworth, vol. i. p. 196).

Charles, having failed of so rich a prize, was obliged again to have recourse to a parliament. Though the ill success of his enterprises diminished his authority, and showed every day more plainly the imprudence of the Spanish war, though the increase of his necessities rendered him more dependent, and more exposed to the encroach-

¹ Rush, vol. i. p. 281.

² 1 Ch. I., cap. 1, Journ., 21 June, 1625.

³ The plague was really so violent, that it had been moved in the house, at the beginning of the session, to petition the king to adjourn them. Journ., 21 June, 1625. So it was impossible to enter upon grievances, even if there had been any. The only business of the parliament was to give supply, which was so much wanted by the king, in order to carry on the war in which they had engaged him.

ments of the commons, he was resolved to try once more that regular and constitutional expedient for supply. Perhaps, too, a little political art, which at that time he practised, was much trusted to. He had named four popular leaders, sheriffs of counties, Sir Edward Coke, Sir Robert Philips, Sir Thomas Wentworth, and Sir Francis Seymour; and, though the question had been formerly much contested,¹ he thought that he had by that means incapacitated them from being elected members. But his intention being so evident, rather put the commons more upon their guard. Enow of patriots still remained to keep up the ill-humour of the house, and men needed but little instruction or rhetoric to recommend to them practices which increased their own importance and consideration. The weakness of the court also could not more evidently appear, than by its being reduced to use so ineffectual an expedient, in order to obtain an influence over the house of commons.

The views, therefore, of the last parliament were (Feb. 6, A D 1626) immediately adopted, as if the same men had been everywhere elected, and no time had intervened since their meeting. When the king laid before the house his necessities, and asked for supply, they immediately voted him three subsidies and three fifteenths; and though they afterwards added one subsidy more, the sum was little proportioned to the greatness of the occasion, and ill fitted to promote those views of success and glory, for which the young prince, in his first enterprise, so ardently longed. But this circumstance was not the most disagreeable one. The supply was only voted by the commons. The passing of that vote into a law was reserved till the end of the session (Journ., Mai 27, 1626). A condition was therefore made, in a very undisguised manner, with their sovereign. Under colour of redressing grievances, which, during his short reign, could not be very numerous, they were to proceed in regulating and controlling every part of government which displeased them: and if the king either cut them short in this undertaking, or refused compliance with their demands, he must not expect any supply from the commons. Great dissatisfaction was expressed by Charles at a treatment which he deemed so harsh and undutiful (Paul. Hist., vol vi, p. 449; Rushworth, vol 1, p. 224). But his urgent necessities obliged him to submit; and he waited with patience, observing to what side they would turn themselves.

The Duke of Buckingham, formerly obnoxious to the public, became every day more unpopular by the symptoms which appeared both of his want of temper and prudence, and of the uncontrolled ascendant which he had acquired over his master.² Two violent attacks he was obliged this session to sustain, one from the Earl of Bristol, another from the House of Commons.

As long as James lived, Bristol, secure of the concealed favour of

¹ It is always an express clause in the writ of summons, that no sheriff shall be chosen, but the contrary practice had often prevailed. D'Ewes, p. 38. Yet still great doubts were entertained on this head. Journ., 9 April 1611.

² His credit with the king had given him such influence, that he had no less than twenty proxies granted him this parliament by so many peers, which occasioned a vote, that no peer should have above two proxies. The Earl of Leicester in 1585 had once ten proxies. D'Ewes, p. 314.

that monarch, had expressed all duty and obedience, in expectation that an opportunity would offer of reinstating himself in his former credit and authority. Even after Charles's accession, he despaired not. He submitted to the king's commands of remaining at his country-seat, and of absenting himself from parliament. Many trials he made to regain the good opinion of his master, but finding them all fruitless, and observing Charles to be entirely governed by Buckingham, his implacable enemy, he resolved no longer to keep any measures with the court. A new spirit he saw, and a new power arising in the nation; and to these he was determined for the future to trust for his security and protection.

When the parliament was summoned, Charles, by a stretch of prerogative, had given orders that no writ, as is customary, should be sent to Bristol (Rushworth, vol 1, p 236). That nobleman applied to the House of Lords by petition, and claimed their good offices with the king for obtaining what was his due as a peer of the realm. His writ was sent him, but accompanied with a letter from the lord keeper, Coventry, commanding him, in the king's name, to absent himself from parliament. This letter Bristol conveyed to the lords, and asked advice how to proceed in so delicate a situation (*Ibid*, vol 1, p 237, Franklyn, p. 120, etc.). The king's prohibition was withdrawn, and Bristol took his seat. Provoked at these repeated instances of vigour, which the court denominated contumacy, Charles ordered his attorney-general to enter an accusation of high treason against him. By way of recrimination, Bristol accused Buckingham of high treason. Both the earl's defence of himself and accusation of the duke remain,¹ and together with some original letters still extant, contain the fullest and most authentic account of all the negotiations with the House of Austria. From the whole, the great imprudence of the duke evidently appears, and the sway of his ungovernable passions, but it would be difficult to collect thence any action, which in the eye of the law could be deemed a crime, much less could subject him to the penalty of treason.

The impeachment of the commons was still less dangerous to the duke, were it estimated by the standard of law and equity. The house, after having voted upon some queries of Dr Turner's, 'that common fame was a sufficient ground of accusation by the commons' (Rushworth, vol 1, p 217; Whitlocke, p. 5), proceeded to frame regular articles against Buckingham. They accused him of having united many offices in his person, of having bought two of them, of neglecting to guard the seas, insomuch that many merchant-ships had fallen into the hands of the enemy; of delivering ships to the French king, in order to serve against the Huguenots, of being employed in the sale of honours and offices, of accepting extensive grants from the crown; of procuring many titles of honour for his kindred, and of administering physic to the late king without acquainting his physicians. All these articles appear, from comparing the accusation and reply to be either frivolous, or false, or both.² The only charge which could be regarded as important was, that he had extorted a sum of

¹ Rushworth, vol 1, pp. 256, 262, 263, etc. Franklyn, p. 123, etc.

² Rushworth, vol. 1, pp. 306, etc., 375, etc., Journ., 25 March, 1626

10,000*l* from the East-India company, and that he had confiscated some goods belonging to French merchants, on pretence of their being the property of Spanish. The impeachment never came to a full determination, so that it is difficult for us to give a decisive opinion with regard to these articles; but it must be confessed, that the duke's answer in these particulars, as in all the rest, is so clear and satisfactory, that it is impossible to refuse our assent to it (Whitlocke, p. 7). His faults and blemishes were in many respects very great, but rapacity and avarice were vices with which he was entirely unacquainted.

It is remarkable, that the commons, though so much at a loss to find articles of charge against Buckingham, never adopted Bristol's accusation, or impeached the duke for his conduct in the Spanish treaty, the most blameable circumstance in his whole life. He had reason to believe the Spaniards sincere in their professions, yet, in order to gratify his private passions, he had hurried his master and his country into a war pernicious to the interests of both. But so inveterate, throughout the nation, were the prejudices with regard to Spanish deceit and falsehood, that very few of the commons seem as yet to have been convinced that they had been seduced by Buckingham's narrative: a certain proof that a discovery of this nature was not, as is imagined by several historians, the cause of so sudden and surprising a variation in the measures of the parliament.¹

While the commons were thus warmly engaged against Buckingham, the king seemed desirous of embracing every opportunity by which he could express a contempt and disregard for them. No one was at that time sufficiently sensible of the great weight which the commons

¹ By a speech of Sir Simon D'Ewes, in the first year of the long parliament it clearly appears, that the nation never had, even to that time, been rightly informed concerning the transactions of the Spanish negotiation, and still believed the court of Madrid to have been altogether sincere in their professions. What reason, upon that supposition, had they to blame either the prince or Buckingham for their conduct, or for the narrative delivered to the parliament? This is a capital fact, and ought to be well attended to. D'Ewes's speech is in Nelson, vol. ii, p. 268. No author or historian of that age mentions the discovery of Buckingham's impostures as a cause of disgust in the parliament. Whitlocke, p. 1, only says, that the commons began to suspect, 'that it had been spleen in Buckingham, not zeal for public good,' which had induced him to break the Spanish match. A clear proof that his falsehood was not suspected. Wilson, p. 280, says, that Buckingham lost his popularity after Bristol arrived, not because that nobleman discovered to the world the falsehood of his narrative, but because he proved that Buckingham, while in Spain, had professed himself a papist, which is false, and which was never said by Bristol. In all the debates which remain, not the least hint is ever given, that any falsehood was suspected in the narrative. I shall further add, that even if the parliament had discovered the deceit in Buckingham's narrative, they ought not to have altered their political measures, or made them refuse supply to the king. They had supposed it practicable to wrest the Palatinate by arms from the hands of Austria; they had represented it as prudent to expend the blood and treasure of the nation to such an enterprise; they had believed that the king of Spain never had any sincere intention of it, staining that principality. It is certain that he had not now any such intention; and then, if there was reason to suspect, that this alteration in his views had proceeded from the ill conduct of Buckingham, yet past errors could not be retrieved, and the nation was undoubtedly in the same situation, which the parliament had ever supposed, when they so much trusted their sovereign, by their impudent, importunate, and even unfeeling solicitations. To which we may add, that Charles himself was certainly deceived by Buckingham, when he corroborated his favourite's narrative by his testimony. Party historians are somewhat inconsistent in their representations of these transactions; they represent the Spaniards as totally insincere, that they may reproach James with credulity in being so long deceived by them; they represent them as sincere, that they may reproach the king the prince, and the duke, with falsehood in their narrative to the parliament. The truths, they were sincere at first, but the reasons, proceeding from bigotry, were not suspected by James, and were it left over to come. They became sincere, but the prince, deceived by the many unwearied efforts of delery, believed that they were still deceiving him.

bore in the balance of the constitution. The history of England had never hitherto afforded one instance, where any great movement or revolution had proceeded from the lower house. And as their rank, both considered in a body and as individuals, was but the second in the kingdom; nothing less than fatal experience could engage the English princes to pay a due regard to the inclinations of that formidable assembly.

The Earl of Suffolk, Chancellor of the University of Cambridge, dying about this time, Buckingham, though lying under impeachment, was yet, by means of court-interest, chosen in his place. The commons resented and loudly complained of this affront, and the more to enrage them, the king himself wrote a letter to the university, extolling the duke, and giving them thanks for his election (Rushworth, vol. 1, p. 371).

The lord keeper, in the king's name, expressly commanded the house not to meddle with his minister and servant, Buckingham, and ordered them to finish, in a few days, the bill which they had begun for the subsidies, and to make some addition to them, otherwise they must not expect to sit any longer (Parl. Hist., vol. vi, p. 444). And though these harsh commands were endeavoured to be explained and mollified a few days after by a speech of Buckingham's,¹ they failed not to leave a disagreeable impression behind them.

Besides a more stately style, which Charles in general affected to this parliament than to the last, he went so far, in a message, as to threaten the commons, that if they did not furnish him with supplies, he should be obliged to try 'new counsels'. This language was sufficiently clear; yet, lest any ambiguity should remain, Sir Dudley Carleton, vice-chamberlain, took care to explain it. 'I pray you consider,' said he, 'what these new counsels are or may be. I fear to declare those that I conceive. In all Christian kingdoms, you know that parliaments were in use anciently, by which those kingdoms were governed in the most flourishing manner, until the monarchs began to know their own strength, and seeing the turbulent spirit of their parliaments, at length they, by little and little, began to stand on their prerogatives, and at last overthrew the parliaments throughout Christendom, except here only with us — Let us be careful, then, to preserve the king's good opinion of parliaments, which bringeth such happiness to this nation, and makes us envied of all others, while there is this sweetness between his majesty and the commons, lest we lose the repute of a free people by our turbulency in parliament' (Rushworth, vol. i, p. 359, Whitlocke, p. 6). These impudent suggestions rather gave warning than struck terror. A precarious liberty, the commons thought, which was to be preserved by unlimited complaisance, was no liberty at all. And it was necessary, while yet in their power, to secure the constitution by such invincible barriers, that no king or minister should ever for the future dare to speak such a language to any parliament, or even entertain such a project against them.

Two members of the house, Sir Dudley Digges and Sir John Eliott, who had been employed as managers of the impeachment against the

¹ *Id. ibid.*, p. 452, Rushworth, vol. 1, p. 225, Franklyn, p. 128.

duke, were thrown into prison (Rushworth, vol 1, p. 356) The commons immediately declared that they would proceed no farther upon business till they had satisfaction in their privileges Charles alleged, as the reason of this measure, certain seditious expressions, which, he said, had, in their accusation of the duke, dropped from these members. Upon inquiry, it appeared that no such expressions had been used (Id, Ibid, pp 358, 361; Franklyn, p 180) The members were released, and the king reaped no other benefit from this attempt than to exasperate the house still farther, and to show some degree of precipitancy and indiscretion

Moved by this example, the house of peers were roused from their inactivity; and claimed liberty for the Earl of Arundel, who had been lately confined in the Tower After many fruitless evasions, the king, though somewhat ungraciously, was at last obliged to comply (Rushworth, vol 1, pp 363, 364, etc; Franklyn, p. 181) And in this incident it sufficiently appeared that the lords, how little soever inclined to popular courses, were not wanting in a just sense of their own dignity

The ill humour of the commons, thus wantonly irritated by the court, and finding no gratification in the legal impeachment of Buckingham, sought other objects, on which it might exert itself The never-failing cry of popery here served them instead They again claimed the execution of the penal laws against catholics, and they presented to the king a list of persons entrusted with offices, most of them insignificant, who were either convicted or suspected recusants (Franklyn, p 195, Rushworth). In this particular they had, perhaps, some reason to blame the king's conduct He had promised to the last House of Commons a redress of this religious grievance: but he was apt, in imitation of his father, to imagine that the parliament, when they failed of supplying his necessities, had, on their part, freed him from the obligation of a strict performance A new odium, likewise, by these representations, was attempted to be thrown upon Buckingham His mother, who had great influence over him, was a professed catholic, his wife was not free from suspicion, and the indulgence given to catholics was of course supposed to proceed entirely from his credit and authority. So violent was the bigotry of the times, that it was thought a sufficient reason for disqualifying any one from holding an office, that his wife, or relations, or companions, were papists, though he himself was a conformist (List in Franklin and Rushworth)

It is remarkable that persecution was here chiefly pushed on by laymen; and that the church was willing to have granted more liberty than would be allowed by the commons The reconciling doctrine likewise of Montague failed not anew to meet with severe censures from that zealous assembly (Rushworth, vol 1, p 209)

The next attack made by the commons, had it prevailed, would have proved decisive. They were preparing a remonstrance against the levying of tonnage and poundage without consent of parliament. This article, together with the new impositions laid on merchandise by James, constituted near half of the crown revenues, and by depriving the king of these resources, they would have reduced him to total subjection and dependence While they retained such a pledge, besides the supply already promised, they were sure that nothing could

be refused them. Though, after canvassing the matter near three months, they found themselves utterly incapable of fixing any legal crime upon the duke, they regarded him as an unable, and perhaps a dangerous minister, and they intended to present a petition, which would then have been equivalent to a command, for removing him from his majesty's person and councils (Rushworth, vol 1, p 400; Franklyn, p. 199)

The king was alarmed at the yoke which he saw prepared for him. Buckingham's sole guilt, he thought, was the being his friend and favourite (Franklyn, p. 178). All the other complaints against him were mere pretences. A little before he was the idol of the people. No new crime had since been discovered. After the most diligent inquiry, prompted by the greatest malice, the smallest appearance of guilt could not be fixed upon him. What idea, he asked, must all mankind entertain of his honour, should he sacrifice his innocent friend to pecuniary considerations? What farther authority should he retain in the nation, were he capable, in the beginning of his reign, to give, in so signal an instance, such matter of triumph to his enemies, and discouragement to his adherents? To-day, the commons pretend to wrest his minister from him. To-morrow they will attack some branch of his prerogative. By their remonstrances, and promises, and protestations, they had engaged the crown in a war. As soon as they saw a retreat impossible, without waiting for new incidents, without covering themselves with new pretences, they immediately deserted him, and refused him all reasonable supply. It was evident that they desired nothing so much as to see him plunged in inextinguishable difficulties, of which they intended to take advantage. To such deep perfidy, to such unbounded usurpations, it was necessary to oppose a proper firmness and resolution. All encroachments on supreme power could only be resisted successfully on the first attempt. The sovereign authority was, with some difficulty, reduced from its ancient and legal height, but when once pushed downwards, it soon became contemptible, and would easily, by the continuance of the same effort, now encouraged by success, be carried to the lowest extremity.

Prompted by these plausible motives, Charles was determined immediately to dissolve the parliament. When this resolution was known, the house of peers, whose compliant behaviour entitled them to some authority with him, endeavoured to interpose (Rushworth, vol 1, p. 398); and they petitioned him that he would allow the parliament to sit some time longer. 'Not a moment longer,' cried the king hastily (Sanderson's Life of Charles I, p. 58); and he soon after ended the session by a dissolution.

As this measure was foreseen, the commons took care to finish and disperse their remonstrance, which they intended as a justification of their conduct to the people. The king likewise, on his part (June 15), published a declaration, in which he gave the reasons of his disagreement with the parliament, and of their sudden dissolution, before they had time to conclude any one act (Franklyn, p 203, etc., *Parl Hist*, vol vii, p 300). These papers furnished the partisans on both sides with ample matter of apology or of recrimination. But all impartial men judged, 'that the commons, though they had not as yet violated

any law, yet, by their unphableness and independence, were insensibly changing, perhaps improving, the spirit and genius, while they preserved the forms of the constitution, and that the king was acting altogether without any plan; running on in a load surrounded on all sides with the most dangerous precipices, and concerting no proper measures, either for submitting to the obstinacy of the commons, or for subduing it.

After a breach with the parliament, which seemed so difficult to repair, the only rational counsel which Charles could pursue was immediately to conclude a peace with Spain, and to render himself, as far as possible, independent of his people, who discovered so little inclination to support him, or rather who seem to have formed a determined resolution to abridge his authority. Nothing could be more easy in the execution than this measure, nor more agreeable to his own and to national interest. But besides the treaties and engagements which he had entered into with Holland and Denmark, the king's thoughts were at this time averse to pacific counsels. There are two circumstances in Charles's character, seemingly incompatible, which attended him during the whole course of his reign, and were in part the cause of his misfortunes. He was very steady and even obstinate in his purpose, and he was easily governed, by reason of his facility, and of his deference to men much inferior to himself both in morals and understanding. His great ends he inflexibly maintained, but the means of attaining them he readily received from his ministers and favourites, though not always fortunate in his choice. The violent, impetuous Buckingham, inflamed with a desire of revenge for injuries which he himself had committed, and animated with a love of glory which he had not talents to merit, had at this time, notwithstanding his profuse licentious life, acquired an invincible ascendant over the virtuous and gentle temper of the king.

The 'new counsels,' which Charles had mentioned to the parliament, were now to be tried, in order to supply his necessities. Had he possessed any military force on which he could rely, it is not improbable that he had at once taken off the mask, and governed without any regard to parliamentary privileges, so high an idea had he received of kingly prerogative, and so contemptible a notion of the rights of those popular assemblies, from which, he very naturally thought, he had met with such ill usage. But his army was new levied, ill paid, and worse disciplined, nowise superior to the militia, who were much more numerous, and who were in a great measure under the influence of the country gentlemen. It behoved him, therefore, to proceed cautiously, and to cover his enterprises under the pretence of ancient precedents, which, considering the great authority commonly enjoyed by his predecessors, could not be wanting to him.

A commission was openly granted to compound with the catholics and agree for dispensing with the penal laws enacted against them (Rushworth, vol. 1, p. 413, Whitlocke, p. 7). By this expedient, the king both filled his coffers, and gratified his inclination of giving indulgence to these religionists, but he could not have employed any branch of prerogative which would have been more disagreeable, or would have appeared more exceptionable, to his protestant subjects.

From the nobility he desired assistance, from the city he required a loan of 100,000*l*. The former contributed slowly, but the latter, covering themselves under many pretences and excuses, gave him at last a flat refusal (Rushworth, vol 1, p 415, Franklin, p. 206)

In order to equip a fleet, a distribution, by order of council, was made to all the maritime towns, and each of them was required, with the assistance of the adjacent counties, to arm so many vessels as were appointed them (Rushworth *ut supra*) The city of London was rated at twenty ships This is the first appearance in Charles's reign of ship-money a taxation which had once been imposed by Elizabeth, but which afterwards, when carried some steps farther by Charles, created such violent discontents

Of some, loans were required (Rushworth, vol 1, p 416), to others the way of benevolence was proposed, methods supported by precedent, but always invidious, even in times more submissive and compliant In the most absolute governments, such expedients would be regarded as irregular and unequal

These counsels for supply were conducted with some moderation, till news arrived that a great battle was fought (Aug 25) between the King of Denmark and Count Tilly, the imperial general, in which the former was totally defeated Money now, more than ever, became necessary, in order to repair so great a breach in the alliance, and to support a prince who was so nearly allied to Charles, and who had been engaged in the war chiefly by the intrigues, solicitations, and promises of the English monarch After some deliberation, an act of council was passed, importing that, as the urgency of affairs admitted not the way of parliament, the most speedy, equal, and convenient method of supply was by a general loan from the subject, according as every man was assessed in the rolls of the last subsidy That precise sum was required, which each would have paid, had the vote of four subsidies passed into a law, but care was taken to inform the people, that the sums exacted were not to be called subsidies, but loans (Ibid, p 418; Whitlocke, p 8) Had any doubt remained, whether forced loans, however authorized by precedent, and even by statute, were a violation of liberty, and must, by necessary consequence, render all parliaments superfluous, this was the proper expedient for opening the eyes of the whole nation The example of Henry VIII, who had once, in his arbitrary reign, practised a like method of levying a regular supply, was generally deemed a very insufficient authority

The commissioners appointed to levy these loans, among other articles of secret instruction, were enjoined, 'If any shall refuse to lend, and shall make delays or excuses, and persist in his obstinacy, that they examine him upon oath, whether he has been dealt with to deny or refuse to lend, or make an excuse for not lending, who has dealt with him, and what speeches or persuasions were used to that purpose?' And that they also shall charge every such person, in his majesty's name, upon his allegiance, not to disclose to any one what his answer was' (Rushworth, vol 1, p 419, Franklin, p 207) So violent an inquisitorial power, so impracticable an attempt at secrecy, were the objects of indignation, and even, in some degree, of ridicule

That religious prejudices might support civil authority, sermons

were preached by Sibthorpe and Manwaring, in favour of the general loan, and the court industriously spread them over the kingdom. Passive obedience was there recommended in its full extent, the whole authority of the state was represented as belonging to the king alone, and all limitations of law and a constitution were rejected as seditious and impious (Rushworth, vol. 1, p. 422, Franklyn, p. 208). So openly was this doctrine espoused by the court, that Archbishop Abbot, a popular and virtuous prelate, was, because he refused to license Sibthorpe's sermon, suspended from the exercise of his office, banished from London, and confined to one of his country-seats (Rushworth, vol. 1, p. 431). Abbot's principles of liberty, and his opposition to Buckingham, had always rendered him very ungracious at court, and had acquired him the character of a puritan. For it is remarkable, that this party made the privileges of the nation as much a part of their religion, as the church party did the prerogatives of the crown, and nothing tended farther to recommend among the people, who always take opinions in the lump, the whole system and all the principles of the former sect. The king soon found, by fatal experience, that this engine of religion, which, with so little necessity, was introduced into politics, falling under more fortunate management, was played with the most terrible success against him. *

While the king, instigated by anger and necessity, thus employed the whole extent of his prerogative, the spirit of the people was far from being subdued. Throughout England, many refused these loans; some were even active in encouraging their neighbours to insist upon their common rights and privileges. By warrant of the council, these were thrown into prison (Rushworth, vol. 1, p. 429; Franklyn, p. 210). Most of them with patience submitted to confinement, or applied by petition to the king, who commonly released them. Five gentlemen alone, Sir Thomas Darnel, Sir John Corbet, Sir Walter Earl, Sir John Heveningham, and Sir Edward Hambden, had spirit enough at their own hazard and expense to defend the public liberties, and to demand releasement, not as a favour from the court, but as their due by the laws of their country¹. No particular cause was assigned of their commitment. The special command alone of the king and council was pleaded. And it was asserted that, by law, this was not sufficient reason for refusing bail or releasement to the prisoners.

This question was (November) brought to a solemn trial before the king's bench, and the whole kingdom was attentive to the issue of a cause which was of much greater consequence than the event of many battles.

By the debates on this subject it appeared, beyond controversy, to the nation, that their ancestors had been so jealous of personal liberty, as to secure it against arbitrary power to the crown, by six² several statutes, and by an article (chap. 29) of the great charter itself, the most sacred foundation of the laws and constitution. But the kings of England, who had not been able to prevent the enacting of these laws, had sufficient authority, when the tide of liberty was spent, to

¹ Rushworth, vol. 1, p. 458. Franklyn, p. 224. Whitlocke, p. 8.

² 25 Edw. III, cap. 4, 28 Edw. III, cap. 3, 37 Edw. III, cap. 18, 38 Edw. III, cap. 9; 42 Edw. III, cap. 2, 1 Richard II., cap. 12.

obstruct their regular execution; and they deemed it superfluous to attempt the formal repeal of statutes which they found so many expedients and pretences to elude. Turbulent and seditious times frequently occurred, when the safety of the people absolutely required the confinement of factious leaders, and by the genius of the old constitution, the prince, of himself, was accustomed to assume every branch of prerogative, which was found necessary for the preservation of public peace and of his own authority. Expediency, at other times, would cover itself under the appearance of necessity, and in proportion as precedents multiplied, the will alone of the sovereign was sufficient to supply the place of expediency, of which he constituted himself the sole judge. In an age and nation where the power of a turbulent nobility prevailed, and where the king had no settled military force, the only means that could maintain public peace, was the exertion of such prompt and discretionary powers in the crown, and the public itself had become so sensible of the necessity, that those ancient laws in favour of personal liberty, while often violated, had never been challenged, or revived, during the course of near three centuries. Though rebellious subjects had frequently, in the open field, resisted the king's authority, no person had been found so bold, while confined and at mercy, as to set himself in opposition to regal power, and to claim the protection of the constitution, against the will of the sovereign. It was not till this age, when the spirit of liberty was universally diffused, when the principles of government were nearly reduced to a system, when the tempers of men, more civilized, seemed less to require those violent exertions of prerogative, that these five gentlemen above mentioned, by a noble effort, ventured, in this national cause, to bring the question to a final determination. And the king was astonished to observe that a power exercised by his predecessors almost without interruption, was found upon trial to be directly opposite to the clearest laws, and supported by few undoubted precedents in courts of judicature. These had scarcely, in any instance, refused bail upon commitments by special command to the king, because the persons committed had seldom or never dared to demand it,—at least, to insist on their demand.

Sir Randolph Crew, chief justice, had been (A D 1627) displaced, as unfit for the purposes of the court. Sir Nicholas Hyde, esteemed more obsequious, had obtained that high office, yet the judges, by his direction, went no farther than to demand the gentlemen to prison, and refuse the bail which was offered (Rushworth, vol. 1., p. 462). Heathcote, the attorney-general, insisted, that the court, in imitation of the judges in the 34th of Elizabeth (State Trials, vol. vii, p. 147), should enter a general judgment that no bail could be granted, upon a commitment by the king or council (State Trials, *ibid.*, p. 161). But the judges wisely declined complying. The nation, they saw, was already to the last degree exasperated. In the present disposition of men's minds, universal complaints prevailed, as if the kingdom were reduced to slavery. And the most invidious prerogative of the crown, it was said,—that of imprisoning the subject,—is here openly and solemnly, and in numerous instances, exercised for the most invidious purpose, in order to extort loans, or rather subsidies, without consent of parliament.

But this was not the only hardship of which the nation then thought they had reason to complain. The army which had made the fruitless expedition to Cadiz was dispersed throughout the kingdom; and money was levied upon the counties for the payment of their quarters (Rushworth, vol. 1, p. 419)

The soldiers were billeted upon private houses, contrary to custom, which required that, in all ordinary cases, they should be quartered in inns and public houses (Ibid)

Those who had refused or delayed the loan, were sure to be loaded with a great number of these dangerous and disorderly guests

Many, too, of low condition, who had shown a refractory disposition, were pressed into the service, and enlisted in the fleet or army (Ibid, p. 422). Sir Peter Hayman, for the same reason, was despatched on an errand to the Palatinate (Ibid, p. 431) Glanville, an eminent lawyer, had been obliged, during the former interval of parliament, to accept of an office in the navy (Parl Hist, vol vii, p. 310)

The soldiers, ill paid and undisciplined, committed many crimes and outrages, and much increased the public discontents. To prevent these disorders, martial law, so requisite to the support of discipline, was exercised upon the soldiers. By a contradiction, which is natural when the people are exasperated, though the outrages of the army were complained of, the remedy was thought still more intolerable (Rushworth, vol 1, p 419, Whitlocke, p 7). Though the expediency, if we are not rather to say the necessity, of martial law, had formerly been deemed of itself a sufficient ground for establishing it, men now become more jealous of liberty, and more refined reasoners in questions of government, regarded as illegal and arbitrary, every exercise of authority which was not supported by express statute or uninterrupted precedent

It may safely be affirmed that, except a few courtiers or ecclesiastics, all men were displeased with this high exertion of prerogative, and this new spirit of administration. Though ancient precedents were pleaded in favour of the king's measures, a considerable difference, upon comparison, was observed between the cases. Acts of power, however irregular, might casually, and at intervals, be exercised by a prince, for the sake of despatch or expediency, and yet liberty still subsist, in some tolerable degree, under his administration. But where all these were reduced into a system, were exerted without interruption, were studiously sought for, in order to supply the place of laws, and subdue the refractory spirit of the nation, it was necessary to find some speedy remedy, or finally to abandon all hopes of preserving the freedom of the constitution. Nor did moderate men esteem the provocation which the king had received, though great, sufficient to warrant all these violent measures. The commons, as yet, had nowise invaded his authority. they had only exercised, as best pleased them, their own privileges. Was he justifiable, because from one house of parliament he had met with harsh and unkind treatment, to make, in revenge, an invasion on the rights and liberties of the whole nation?

But great was at this time the surprise of all men, when Charles, baffled in every attempt against the Austrian dominions, embroiled with his own subjects, unsupplied with any treasure but what he extorted

by the most invidious and most dangerous measures, as if the half of Europe, now his enemy, were not sufficient for the exercise of military prowess, wantonly attacked France, the other great kingdom in his neighbourhood, and engaged at once in war against these two powers, whose interests were hitherto deemed so incompatible, that they could never, it was thought, agree either in the same friendships or enmities. All authentic memoirs, both foreign and domestic, ascribe to Buckingham's counsels this war with France, and represent him as actuated by motives, which would appear incredible, were we not acquainted with the violence and temerity of his character.

The three great monarchies of Europe were at this time ruled by young princes, Philip, Louis, and Charles, who were nearly of the same age, and who had resigned the government of themselves, and of their kingdoms, to their creatures and ministers, Olivarez, Richelieu, and Buckingham. The people, whom the moderate temper of a narrow genius of their princes would have allowed to remain for ever in tranquillity, were strongly agitated by the emulation and jealousy of the ministers. Above all, the towering spirit of Richelieu, incapable of rest, promised an active age, and gave indications of great revolutions throughout all Europe.

This man had no sooner, by suppleness and intrigue, gotten possession of the reins of government, than he formed, at once, three mighty projects: to subdue the turbulent spirits of the great, to reduce the rebellious Huguenots, and to curb the encroaching power of the House of Austria. Undaunted and implacable, prudent and active, he braved all the opposition of the French princes and nobles in the prosecution of his vengeance, he discovered and dissipated all their secret cabals and conspiracies. His sovereign himself he held in subjection, while he exalted the throne. The people while they lost their liberties, acquired, by means of his administration, learning, order, discipline, and renown. That confused and inaccurate genius of government, of which France partook in common with other European kingdoms, he changed into a simple monarchy, at the very time when the incapacity of Buckingham encouraged the free spirit of the commons to establish in England a regular system of liberty.

However unequal the comparison between these ministers, Buckingham had entertained a mighty jealousy against Richelieu, a jealousy not founded on rivalry of power and politics, but of love and gallantry, where the duke was as much superior to the cardinal, as he was inferior in every other particular.

At the time when Charles married by proxy the Princess Henrietta, the Duke of Buckingham had been sent to France, in order to grace the nuptials, and conduct the new queen into England. The eyes of the French court were directed by curiosity towards that man who had enjoyed the unlimited favour of two successive monarchs, and who, from a private station, had mounted, in the earliest youth, to the absolute government of three kingdoms. The beauty of his person, the gracefulness of his air, the splendor of his equipage, his fine taste in dress, festivals, and carousals, corresponded to the prepossessions entertained in his favour, the affability of his behaviour, the gaiety of his manners, the magnificence of his expense, increased still farther

the general admiration which was paid him. All business being already concerted, the time was entirely spent in mirth and entertainments; and, during those splendid scenes, among that gay people, the duke found himself in a situation where he was perfectly qualified to excel (Clarendon, vol. 1, p. 38). But his great success at Paris proved as fatal as his former failure at Madrid. Encouraged by the smiles of the court, he dared to carry his ambitious addresses to the queen herself; and he failed not to make impression on a heart not indisposed to the tender passions. That attachment, at least, of the mind, which appears so delicious, and is so dangerous, seems to have been encouraged by the princess, and the duke presumed so far on her good graces, that, after his departure, he secretly returned upon some pretence, and, paying a visit to the queen, was dismissed with a reproof which savoured more of kindness than of anger (Mem. de Mad. de Motteville).

Information of this correspondence was soon carried to Richelieu. The vigilance of that minister was here farther roused by jealousy. He, too, either from vanity or politics, had ventured to pay his addresses to the queen. But a priest, past middle age, of a severe character, and occupied in the most extensive plans of ambition or vengeance, was but an unequal match in that contest, for a young courtier, entirely disposed to gaiety and gallantry. The cardinal's disappointment strongly inclined him to counterwork the amorous projects of his rival. When the duke was making preparations for a new embassy to Paris, a message was sent him from Lewis, that he must not think of such a journey. In a romantic passion, he swore 'That he would see the queen, in spite of all the power of France,' and, from that moment, he determined to engage England in a war with that kingdom (Clarendon, vol. 1, p. 38).

He first took advantage of some quarrels, excited by the Queen of England's attendants, and he persuaded Charles to dismiss at once all her French servants, contrary to the articles of the marriage treaty (Rushworth, vol. 1, pp. 423, 424). He encouraged the English ships of war and privateers to seize vessels belonging to French merchants; and *these* he forthwith condemned as prizes, by a sentence of the court of admiralty. But finding that all these injuries produced only remonstrances and embassies, or at most reprisals, on the part of France, he resolved to second the intrigues of the Duke of Soubise, and to undertake at once a military expedition against that kingdom.

Soubise, who, with his brother, the Duke of Rohan, was the leader of the Huguenot faction, was at that time in London, and strongly solicited Charles to embrace the protection of these distressed religionists. He represented that, after the inhabitants of Rochelle had been repressed by the combined squadrons of England and Holland, after peace was concluded with the French king, under Charles's mediation, the ambitious cardinal was still meditating the destruction of the Huguenots, that preparations were silently making in every province of France for the suppression of their religion; that forts were erected in order to bridle Rochelle, the most considerable bulwark of the protestants; that the reformed in France cast their eyes on Charles as the head of their faith, and considered him as a prince engaged by interest, as well as inclination, to support them; that, so

long as their party subsisted, Charles might rely on their attachment as much as on that of his own subjects, but if their liberties were once ravished from them, the power of France, freed from this impediment, would soon become formidable to England, and to all the neighbouring nations

Though Charles probably bore but small favour to the Huguenots, who so much resembled the puritans in discipline and worship, in religion and politics, he yet allowed himself to be gained by these arguments, enforced by the solicitations of Buckingham. A fleet of a hundred sail, and an army of 7000 men, were fitted out for the invasion of France, and both of them entrusted to the command of the duke, who was altogether unacquainted both with land and sea service. The fleet appeared (July 9, A.D. 1627) before Rochelle, but so ill-concerted were Buckingham's measures, that the inhabitants of that city shut their gates, and refused to admit allies of whose coming they were not previously informed (Rushworth, vol. 1, p. 426). All his military operations showed equal incapacity and inexperience. Instead of attacking Oleron, a fertile island and defenceless, he bent his course to the isle of Rhé, which was well garrisoned and fortified, having landed his men, though with some loss, he followed not the blow, but allowed Tonnas, the French governor, five days' respite, during which St Martin was victualled and provided for a siege (Whitlocke, p. 8; Sir Philip Warwick, p. 25). He left behind him the small fort of Prie, which could at first have made no manner of resistance, though resolved to starve St Martin, he guarded the sea negligently, and allowed provisions and ammunition to be thrown into it, despairing to reduce it by famine, he attacked it without having made any breach, and rashly threw away the lives of the soldiers; having found that a French army had stolen over in small divisions, and had landed at Prie, the fort which he had at first overlooked, he began to think of a retreat, but (Oct. 28) made it so unskilfully, that it was equivalent to a total rout: he was the last of the army that embarked, and he returned to England, having lost two thirds of his land-forces, totally discredited both as an admiral and a general, and bringing no praise with him, but the vulgar one of courage and personal bravery.

The Duke of Rohan, who had taken arms as soon as Buckingham appeared upon the coast, discovered the dangerous spirit of the sect, without being able to do any mischief, the inhabitants of Rochelle, who had at last been induced to join the English, hastened the vengeance of their master, exhausted their provisions in supplying their allies, and were threatened with an immediate siege. Such were the fruits of Buckingham's expedition against France.

CHAPTER LI

Third parliament—Petition of right—Prorogation—Death of Buckingham—New session of parliament—Tonnage and poundage—Arminianism—Dissolution of the parliament

THERE was reason to apprehend some disorder or insurrection from the discontents which prevailed among the people in England. Their

liberties, they believed, were ravished from them; illegal taxes extorted, their commerce, which had met with a severe check from the Spanish, was totally annihilated by the French war; those military honours transmitted to them from their ancestors, had received a grievous stain, by two unsuccessful and ill-conducted expeditions, scarce an illustrious family but mourned, from the last of them, the loss of a son or brother, greater calamities were dreaded from the war with these powerful monarchies, concurring with the internal disorders under which the nation laboured. And these ills were ascribed, not to the refractory disposition of the two former parliaments, to which they were partly owing, but solely to Charles's obstinacy, in adhering to the counsels of Buckingham, a man nowise entitled, by his birth, age, services, or merit, to that unlimited confidence reposed in him. To be sacrificed to the interest, policy, and ambition of the great, is so much the common lot of the people, that they may appear unreasonable who would pretend to complain of it, but to be the victim of the frivolous gallantry of a favourite, and of his boyish caprices, seemed the object of peculiar indignation.

In this situation, it may be imagined, the king and the duke dreaded, above all things, the assembling of a parliament, but so little foresight had they possessed in their enterprising schemes, that they found themselves under an absolute necessity of embracing that expedient. The money levied, or rather extorted, under colour of prerogative, had come in very slowly, and had left such ill-humour in the nation, that it appeared dangerous to renew the experiment. The absolute necessity of supply, it was hoped, would engage the commons to forget all past injuries and, having experienced the ill effects of former obstinacy, they would probably assemble with a resolution of making some reasonable compliances. The more to soften them, it was concerted, by Sir Robert Cotton's advice (Franklyn, p. 230), that Buckingham should be the first person that proposed in council the calling of a new parliament. Having laid in this stock of merit, he expected that all his former misdemeanours would be overlooked and forgiven; and that, instead of a tyrant and oppressor, he should be regarded as the first patriot in the nation.

The views of the popular leaders were much more judicious and profound. When the commons assembled (Mar. 17, A D 1628), they appeared to be men of the same independent spirit with their predecessors, and possessed of such riches, that their property was computed to surpass three times that of the house of peers (Sanderson, p. 106, Walker, p. 339); they were deputed by boroughs and counties, inflamed, all of them, by the late violations of liberty; many of the members themselves had been cast into prison, and had suffered by the members of the court, yet, notwithstanding these circumstances, which might prompt them to embrace violent resolutions, they entered upon business with perfect temper and decorum. They considered that the king, disgusted at these popular assemblies, and little prepossessed in favour of their privileges, wanted but a fair pretence for breaking with them, and would seize the first opportunity offered by any incident, or any undutiful behaviour of the members. He fairly told them, in his first speech, that, 'if they should not do their duties, in contributing to

'the necessities of the state, he must, in discharge of his conscience, use those other means which God had put into his hands, in order to save that which the follies of some particular men may otherwise put in danger. Take not this for a threatening,' added the king, 'for I scorn to threaten any but my equals, but as an admonition from him who by nature and duty, has most care of your preservation and prosperity' (Rushworth, vol 1, p 477, Franklyn, p 233). The lord keeper, by the king's direction, subjoined, 'This way of parliamentary supplies, as his majesty told you, he hath chosen, not as the only way, but as the fittest, not because he is destitute of others, but because it is most agreeable to the goodness of his own most gracious disposition, and to the desire and weal of his people. If this be deferred, necessity and the sword of the enemy make way for the other. Remember his majesty's admonition, I say remember it' (Rushworth vol 1, p 479, Franklyn, p 234). From these avowed maxims, the commons foresaw, that, if the least handle were afforded, the king would immediately dissolve them, and would thenceforward deem himself justified for violating, in a manner still more open, all the ancient forms of the constitution. No remedy could then be looked for, but from insurrections and civil war, of which the issue would be extremely uncertain, and which must, in all events, prove calamitous to the nation. To correct the late disorders in the administration required some new laws, which would, no doubt, appear harsh to a prince so enamoured of his prerogative, and it was requisite to temper, by the decency and moderation of their debates, the rigour which must necessarily attend their determinations. Nothing can give us a higher idea of the capacity of those men who now guided the commons, and of the great authority which they had acquired, than the forming and executing of so judicious and so difficult a plan of operations.

The decency, however, which the popular leaders had prescribed to themselves, and recommended to others, hindered them not from making the loudest and most vigorous complaints against the grievances under which the nation had lately laboured. Sir Francis Seymour said, 'This is the great council of the kingdom, and here with certainty, if not here only, his majesty may see, as in a true glass, the state of the kingdom. We are called hither by his writs, in order to give him faithful counsel, such as may stand with his honour, and this we must do without flattery. We are also sent hither by the people, in order to deliver their just grievances, and this we must do without fear. Let us not act like Cambyses' judges, who, when their approbation was demanded by the prince to some illegal measure, said, that, "Though there was a written law, the Persian kings might follow their own will and pleasure." This was base flattery—fitter for our reproof than our imitation, and as fear, so flattery, taketh away the judgment. For my part, I shall shun both, and speak my mind with as much duty as any man to his majesty, without neglecting the public.

'But how can we express our affections, while we retain our fears; or speak of giving, till we know whether we have any thing to give? For, if his majesty may be persuaded to take what he will, what need we give?

'That this hath been done, appeareth by the billeting of soldiers, a thing nowise advantageous to the king's service, and a burthen to the commonwealth, by the imprisonment of gentlemen for refusing the loan, who, if they had done the contrary for fear, had been as blameable as the projectors of that oppressive measure. To countenance these proceedings, hath it not been preached in the pulpit, or rather prated, that "All we have is the king's by Divine right"? But when preachers forsake their own calling, and turn ignorant statesmen, we see how willing they are to exchange a good conscience for a bishopric.

'He, I must confess, is no good subject, who would not, willingly and cheerfully, lay down his life, when that sacrifice may promote the interests of his sovereign, and the good of the commonwealth. But he is not a good subject—he is a slave—who will allow his goods to be taken from him against his will, and his liberty against the laws of the kingdom. By opposing these practices, we shall but tread in the steps of our forefathers, who still preferred the public before their private interest, nay, before their very lives. It will in us be a wrong done to ourselves, to our posterities, to our consciences, if we forego this claim and pretension' (Franklyn, p. 243; Rushworth, vol. 1, p. 499)

'I read of a custom,' said Sir Robert Philips, 'among the old Romans, that, once every year, they held a solemn festival in which their slaves had liberty, without exception, to speak what they pleased, in order to ease their afflicted minds, and, on the conclusion of the festival, the slaves severally returned to their former servitudes.

'This institution may, with some distinction, well set forth our present state and condition. After the revolution of some time, and the grievous sufferance of many violent oppressions, we have now, at last, as those slaves, obtained, for a day, some liberty of speech; but shall not, I trust, be hereafter slaves; for we are born free. Yet, what new illegal burthens our estates and persons have groaned under, my heart yearns to think of, my tongue falters to utter.

'The grievances, by which we are oppressed, I draw under two heads. acts of power against law, and the judgments of lawyers against our liberty.'

Having mentioned three illegal judgments passed within his memory that by which the Scots, soon after James's accession, were admitted to all the privileges of English subjects, that by which the new imprisonments had been warranted, and the late one, by which arbitrary imprisonments were authorized; he thus proceeded.

'I can live, though another, who has no right, be put to live along with me; nay, I can live, though burdened with impositions beyond what at present I labour under, but to have my liberty, which is the soul of my life, ravished from me, to have my person pent up in a jail, without relief by law, and to be so adjudged,—Oh, impudent ancestors! O, unwise forefathers! to be so curious in providing for the quiet possession of our lands, and the liberties of parliament; and, at the same time, to neglect our personal liberty, and let us lie in prison, and that during pleasure without redress or remedy! If this be law, why do we talk of liberties? Why trouble ourselves

‘with disputes about a constitution, franchises, property of goods and the like? What may any man call his own, if not the liberty of his person?’

‘I am weary of treading these ways, and therefore conclude to have a select committee, in order to frame a petition to his majesty for redress of these grievances. And this petition being read, examined, and approved, may be delivered to the king; of whose gracious answer we have no cause to doubt, our desires being so reasonable, our intentions so loyal, and the manner so dutiful. Neither need we fear that this is the critical parliament, as has been insinuated, or that this is the way to distraction; but assure ourselves of a happy issue. Then shall the king, as he calls us his great council, find us his true council, and own us his good council.’¹

The same topics were enforced by Sir Thomas Wentworth. After mentioning projects and ill ministers of state, ‘These,’ said he, ‘have introduced a privy council, ravishing, at once, the spheres of all ancient government, destroying all liberty, imprisoning us without bail or bond. They have taken from us—What shall I say? Indeed, what have they left us? By tearing up the roots of all property, they have taken from us every means of supplying the king, and of ingratiating ourselves by voluntary proofs of our duty and attachment towards him.’

‘To the making whole all these breaches, I shall apply myself; and, to all these diseases, shall propound a remedy. By one and the same thing, have the king and the people been hurt, and by the same must they be cured. We must vindicate—What? New things? No. Our ancient, legal, and vital liberties, by reinforcing the laws enacted by our ancestors, by setting such a stamp upon them, that no licentious spirit shall dare henceforth to invade them. And shall we think this a way to break a parliament? No. Our desires are modest and just. I speak both for the interest of king and people. If we enjoy not these rights, it will be impossible for us to relieve him. Let us never, therefore, doubt of a favourable reception from his goodness’ (Franklyn, p. 243; Rushworth, vol. 1, p. 500).

These sentiments were unanimously embraced by the whole house. Even the court party pretended not to plead, in defence of the late measures, anything but the necessity to which the king had been reduced by the obstinacy of the two former parliaments. A vote, therefore, was passed without opposition against arbitrary imprisonments and forced loans.² And the spirit of liberty having obtained some contentment by this exertion, the reiterated messages of the king, who pressed for supply, were attended to with more temper. Five subsidies were voted him, with which, though much inferior to his wants, he declared himself well satisfied; and even tears of affection started in his eye when he was informed of this concession. The duke’s approbation, too, was mentioned by secretary Coke, but the conjunction of a subject with the sovereign was ill received by the house (Rushworth, vol. 1., p. 526, Whitlocke, p. 9). Though disgusted with the king, the jealousy which they felt for his honour was more sensible than that

¹ Franklyn, p. 245. Parl. Hist., vol. vii., p. 363. Rushworth, vol. 1., p. 502.

² Franklyn, p. 251. Rushworth, vol. 1., p. 523; Whitlocke, p. 9.

which his unbounded confidence in the duke would allow even himself to entertain.

The supply, though voted, was not, as yet, passed into a law, and the commons resolved to employ the interval in providing some barriers to their rights and liberties so lately violated. They knew that their own vote, declaring the illegality of the former measures, had not, of itself, sufficient authority to secure the constitution against future invasion. Some act to that purpose must receive the sanction of the whole legislature, and they appointed a committee to prepare the model of so important a law. By collecting into one effort all the dangerous and oppressive claims of his prerogative, Charles had exposed them to the hazard of one assault, and had farther, by presenting a nearer view of the consequences attending them, roused the independent genius of the commons. Forced loans, benevolences, taxes without consent of parliament, arbitrary imprisonments, the billeting of soldiers, martial law,—these were the grievances complained of, and against these an eternal remedy was to be provided. The commons pretended not, as they affirmed, to any unusual powers or privileges, they aimed only at securing those which had been transmitted them from their ancestors, and then law they resolved to call a PETITION OF RIGHT, as implying that it contained a corroboration or explanation of the ancient constitution, not any infringement of royal prerogative, or acquisition of new liberties.

While the committee was employed in framing the petition of right, the favours of each party both in parliament and throughout the nation were engaged in disputes about this bill, which, in all likelihood, was to form a memorable era in the English government.

That the statutes, said the partisans of the commons, which secure English liberty, are not become obsolete appears hence. that the English have ever been free, and have been governed by law and a limited constitution. Privileges, in particular, which are founded on the GREAT CHARTER, must always remain in force, because derived from a source of never failing authority, regarded in all ages as the most sacred contract between king and people. Such attention was paid to this charter by our generous ancestors that they got the confirmation of it reiterated thirty several times, and even secured it by a rule, which, though vulgarly received, seems in the execution impracticable. They have established as a maxim, 'That even a statute, which should be enacted in contradiction to any article of that charter, cannot have force or validity.' But with regard to that important article which secures personal liberty, so far from attempting at any time any legal infringement of it, they have corroborated it by six statutes, and put it out of all doubt and controversy. If in practice it has often been violated, abuses can never come in the place of rules, nor can any rights or legal powers be derived from injury or injustice. But the title of the subject to personal liberty not only is founded on ancient, and therefore the more sacred, laws, it is confirmed by the whole ANALOGY of the government and constitution. A free monarchy in which every individual is a slave is a glaring contradiction, and it is requisite, where the laws assign privileges to the different orders of the state, that it likewise secure the independence of the members. If any

difference could be made in this particular, it were better to abandon even life or property to the arbitrary will of the prince, nor would such immediate danger ensue from that concession to the laws and to the privileges of the people. To bereave of his life a man not condemned by any legal trial is so egregious an exercise of tyranny that it must at once shock the natural humanity of princes, and convey an alarm throughout the whole commonwealth. To confiscate a man's fortune, besides its being a most atrocious act of violence, exposes the monarch so much to the imputation of avarice and rapacity that it will seldom be attempted in any civilized government. But confinement, though a less striking, is no less severe, a punishment, nor is there any spirit so erect and independent as not to be broken by the long continuance of the silent and inglorious sufferings of a jail. The power of imprisonment, therefore, being the most natural and potent engine of arbitrary government, it is absolutely necessary to remove it from a government which is free and legal.

The partisans of the court reasoned after a different manner. The rule of government, said they, during any period, is that which the people, from time immemorial, have been accustomed, and to which they naturally pay a prompt obedience. A practice which has ever struck their senses, and of which they have seen and heard innumerable precedents, has an authority with them much superior to that which attends maxims derived from antiquated statutes and mouldy records. In vain do the lawyers establish it as a principle that a statute can never be abrogated by opposite custom, but requires to be expressly repealed by a contrary statute, while they pretend to inculcate an axiom peculiar to English jurisprudence, they violate the most established principles of human nature, and even, by necessary consequence, reason in contradiction to law itself, which they would represent as so sacred and inviolable. A law, to have any authority, must be derived from a legislature which has right. And whence do all legislatures derive their right but from long custom, and established practice? If a statute, contrary to public good, has, at any time, been rashly voted and assented to, either from the violence of faction, or the inexperience of senates and princes, it cannot be more effectually abrogated than by a train of contrary precedents, which prove that, by common consent, it has tacitly been set aside as inconvenient and impracticable. Such has been the case with all those statutes enacted during turbulent times, in order to limit royal prerogative, and clamp the sovereign in his protection of the public, and his execution of the laws. But above all branches of prerogative, that which is most necessary to be preserved, is the power of imprisonment. Faction and discontent, like diseases, frequently arise in every political body, and during these disorders, it is by the salutary exercise alone of this discretionary power that rebellions and civil wars can be prevented. To circumscribe this power is to destroy its nature, entirely to abrogate it is impracticable, and the attempt itself must prove dangerous, if not pernicious, to the public. The supreme magistrate, in critical and turbulent times, will never, agreeably either to prudence or duty, allow the state to perish, while there remains a remedy which, how irregular soever, it is still in his power to apply. And if, moved by a regard to public good, he

employs any exercise of power condemned by recent and expressed statute, how greedily, in such dangerous times, will factious leaders seize this pretence of throwing on his government the imputation of tyranny and despotism? Were the alternative quite necessary, it were surely much better for human society to be deprived of liberty than to be destitute of government.

Impartial reasoners will confess that this subject is not, on both sides, without its difficulties. Where a general and rigid law is enacted against arbitrary imprisonment, it would appear that government cannot, in times of sedition and faction, be conducted but by temporary suspensions of the law, and such an expedient was never thought of during the age of Charles. The meetings of parliament were too precarious, and their determinations might be too dilatory to serve in cases of urgent necessity. Nor was it then conceived that the king did not possess of himself sufficient power for the security and protection of his people, or that the authority of these popular assemblies was ever to become so absolute that the prince must always conform himself to it, and could never have any occasion to guard against their practices, as well as against those of his other subjects.

Though the house of lords was not insensible to the reasons urged in favour of the pretensions of the commons, they deemed the arguments pleaded in favour of the crown still more cogent and convincing. That assembly seems, during this whole period, to have acted, in the main, a reasonable and a moderate part, and if their bias inclined a little too much, as is natural, to the side of monarchy, they were far from entertaining any design of sacrificing to arbitrary will the liberties and privileges of the nation. Ashley, the king's serjeant, having asserted, in a pleading before the peers, that the king must sometimes govern by acts of state as well as by law, this position gave such offence that he was immediately committed to prison, and was not released but upon his recantation and submission (Whitlocke, p. 10). Being, however, afraid lest the commons should go too far in their projected petition, the peers proposed a plan of one more moderate, which they recommended to the consideration of the other house. It consisted merely in a general declaration that the great charter and the six statutes conceived to be explanations of it, stand still in force, to all intents and purposes, that, in consequence of the charter and the statutes, and by the tenor of the ancient customs and laws of the realm, every subject has a fundamental property in his goods, and a fundamental liberty of his person; that this property and liberty are as entire at present as during any former period of the English government, that in all common cases the common law ought to be the standard of proceedings; 'And in case that, for the security of his majesty's person, the general safety of his people, or the peaceable government of the kingdom, the king shall find just cause, for reasons of state, to imprison or restrain any man's person, he was petitioned graciously to declare that, within a convenient time, he shall and will express the cause of the commitment or restraint, either general or special, and upon a cause so expressed, will leave the prisoner immediately to be tried according to the common law of the land' (State Trials, vol. vii, p. 187, Rushworth, vol. 1, p. 546).

Archbishop Abbot was employed by the lords to recommend, in a conference, this plan of a petition to the house of commons. The prelate, as was, no doubt, foreshewn from his known principles, was not extremely urgent in his applications, and the lower house was fully convinced that the general declarations signified nothing, and that the latter clause left their liberties rather in a worse condition than before. They proceeded, therefore, with great zeal, in framing the model of a petition, which should contain expressions more precise, and more favourable to public freedom.

The king could easily see the consequence of these proceedings. Though he had offered, at the beginning of the session, to give his consent to any law for the security of the rights and liberties of the people, he had not expected that such inroads would be made on his prerogative. In order, therefore, to divert the commons from their intention, he sent a message, wherein he acknowledged past errors, and promised that, hereafter, there should be no just cause of complaint. And he added, 'that the affairs of the kingdom press him so, that he could not continue the session above a week or two longer and if the house be not ready, by that time, to do what is fit for themselves, it shall be their own fault' (State Trials, vol. vii, p. 193). On a subsequent occasion, he asked them, 'Why demand explanations, if you doubt not the performance of the statutes according to their true meaning? Explanations will hazard an encroachment upon the prerogative. And it may well be said, What need a new law to confirm an old, if you repose confidence in the declarations which his majesty made to both houses?' (State Trials, vol. vii, p. 196; Rushworth, vol. i., p. 556). The truth is, the great charter and the old statutes were sufficiently clear in favour of personal liberty: but as all kings of England had ever, in cases of necessity or expediency, been accustomed, at intervals, to elude them, and as Charles, in a complication of instances, had lately violated them, the commons judged it requisite to enact a new law, which might not be eluded or violated by any interpretation, construction, or contrary precedent. Nor was it sufficient, they thought, that the king promised to return into the way of his predecessors. His predecessors, in all times, had enjoyed too much discretionary power, and by his recent abuse of it, the whole world had reason to see the necessity of entirely retrenching it.

The king still persevered in his endeavours to elude the petition. He sent a letter to the house of lords, in which he went so far as to make a particular declaration 'that neither he nor his privy council shall or will, at any time hereafter, commit or command to prison, or otherwise restrain, any man for not lending money, or for any other cause, which, in his conscience, he thought not to concern the public good, and the safety of king and people.' And he further declared, 'that he never would be guilty of so base an action as to pretend any cause, of whose truth he was not fully satisfied'.¹ But this promise, though enforced to the commons by the recommendation of the upper house, made no more impression than all the former messages.

Among the other evasions of the king, we may reckon the proposal of the house of peers to subjoin to the intended petition of right the

¹ State Trials, vol. vii, p. 198, Rushworth, vol. i., p. 560, Parl. Hist., vol. viii, p. xxx.

following clause: 'We humbly present this petition to your majesty, not only with a care of preserving our own liberties, but with due regard to leave entire that sovereign power, with which your majesty is entrusted for the protection, safety, and happiness of your people'.¹ Less penetration than was possessed by the leaders of the house of commons could easily discover how captious this clause was, and how much it was calculated to elude the whole force of the petition.

These obstacles, therefore, being surmounted, the petition of right passed the commons, and was sent to the upper house.² The peers, who were probably well pleased, in secret, that all their solicitations had been eluded by the commons, quickly passed the petition without any material alteration, and nothing but the royal assent was wanting

¹ State Trials, vol vii, p 199, Rushworth, vol 1, p 561, Parl Hist, vol viii, p 116, Whitlocke, p 10.

² This petition is of so great importance, that we here shall give it at length. I Humbly show unto our sovereign lord the king, the lords spiritual and temporal, and commons, in parliament assembled, that, whereas it is declared and enacted by a statute made in the time, of the reign of King Edward I, commonly called 'Statutum de tallagio non concedendo,' that no tallage or aid shall be levied by the king or his heirs in this realm, without the good will and assent of the archbishops, bishops, earls, barons, knights, burgesses, and other the freemen of the commonalty of this realm, and, by authority of parliament, holden in the five and twentieth year of the reign of King Edward III, it is declared and enacted, That, from thenceforth, no person shall be compelled to make any loans to the king against his will, because such loans were against reason, and the franchise of the land, and by other laws of this realm, it is provided, that none should be charged by any charge or imposition called a benevolence, or by such like charge by which the statutes before mentioned, and other the good laws and statutes of this realm, your subjects have inherited this freedom, that they should not be compelled to contribute to any tax, tallage, aid, or other like charge, not set by common consent in parliament.

II Yet, nevertheless, of late, divers commissions directed to sundry commissioners in several counties, with instructions, have issued, by means whereof your people have been in divers places assembled, and required to lend certain sums of money unto your majesty, and in many of them, upon their refusal so to do, have had an oath administered unto them not warrantable by the laws or statutes of this realm, and have been constrained to become bound to make appearance and give attendance before your privy council, and in other places, and others of them have been therefore imprisoned, confined, and sundry other ways molested and disquieted, and divers other charges have been laid and levied upon your people, in several counties, by lord-lieutenants, deputy-lieutenants, commissioners for musters, justices of peace, and others, by command or direction from your majesty, or your privy council, against the laws and free customs of this realm.

III And whereas, also, by the statute called 'The great charter of the liberties of England,' it is declared and enacted, That no freeman may be taken or imprisoned, or be disseised of his freehold or liberties, or his free customs, or be outlawed or exiled, or in any manner destroyed, but by the lawful judgment of his peers, or by the law of the land.

IV And, in the eight and twentieth year of the reign of King Edward III, it was declared and enacted, by authority of parliament, That no man, of what estate or condition that he be, should be put out of his land or tenements, nor taken, nor imprisoned, nor disherited, nor put to death, without being brought to answer by due process of law.

V Nevertheless, against the tenor of the said statutes, and other the good laws and statutes of your realm to that end provided, divers of your subjects have of late been imprisoned without any cause showed, and, when, for their deliverance, they were brought before justice, by your majesty's writs of Habeas Corpus, there to undergo and receive as the court shall order, and their keepers commanded to certify the causes of their detainer, no cause was certified, but that they were detained by your majesty's special command, signified by the lords of your privy council, and yet were returned back to several prisons, without being charged with anything to which they might make answer according to the law.

VI And whereas, of late, great companies of soldiers and manners have been dispersed into divers counties of the realm, and the inhabitants, against their wills, have been compelled to receive them into their houses, and there to suffer them to sojourn, against the laws and customs of this realm, and to the great grievance and vexation of the people.

VII And whereas, also, by authority of parliament, in the five and twentieth year of the reign of King Edward III, it is declared and enacted, That no man shall be forejudged of life or limb against the form of the Great Charter and law of the land, and by the said Great Charter, and other the laws and statutes of this your realm, no man ought to be judged to death but by the laws established in this your realm, either by the customs of the same

to give it the force of a law The king accordingly came to the house of peers, sent for the commons, and, being seated in his chair of state, the petition was read to him. Great was now the astonishment of all men, when, instead of the usual concise and clear form by which a bill is either confirmed or rejected, Charles said, in answer to the petition, 'The king willeth that right be done according to the laws and customs of the realm, and that the statutes be put into execution, that his subjects may have no cause to complain of any wrong or oppression, contrary to their just rights and liberties, to the preservation whereof he holds himself in conscience as much obliged as of his own prerogative' (State Trials, vol. vii., p. 212, Rushworth, vol. 1).

It is surprising that Charles, who had seen so many instances of the jealousy of the commons, who had himself so much roused that jealousy by his frequent evasive messages during this session, could imagine that they would rest satisfied with an answer so vague and undeterminate. It was evident that the unusual form alone of the answer must excite their attention, that the disappointment must inflame their anger, and that, therefore, it was necessary, as the petition seemed to bear hard on royal prerogative, to come early to some

realm, or by acts of parliament, and where is no offender, of what kind soever, is exempted from the proceedings to be used, and punishments to be inflicted by the laws and statutes of this your realm, nevertheless, of late, divers commissions, under your majesty's great seal, have issued forth, by which certain persons have been assigned and appointed commissioners, with power and authority to proceed within the land, according to the justice of martial law, against such soldiers and mariners, or other dissolute persons joining with them, as should commit any murder, robbery, felony, mutiny, or other outrage or misdemeanour whatsoever, and by such summary course and order as is agreeable to martial law, and as is used in armies in time of war, to proceed to the trial and condemnation of such offenders, and them to cause to be executed and put to death according to the law martial.

VIII. By pretext whereof some of your majesty's subjects have been, by some of the said commissioners, put to death, when and where, if, by the laws and statutes of the land, they had deserved death, by the same laws and statutes also they might, and by no other ought, to have been judged and executed.

IX. And also sundry grievous offenders, by colour thereof claiming an exemption, have escaped the punishments due to them by the laws and statutes of this your realm, by reason that divers of your officers and ministers of justice have unjustly refused or failed to proceed against such offenders, according to the same laws and statutes, upon pretence that the said offenders were punishable only by martial law, and by authority of such commissions as aforesaid, which commissions, and all other of like nature, are wholly and directly contrary to the said laws and statutes of this your realm.

X. They do therefore humbly pray your most excellent majesty, That no man hereafter be compelled to make or yield any gift, loan, benevolence, tax, or such like charge, without common consent, by act of parliament, and that none be called to make answer, or take such oath, or to give attendance, or be confined, or otherwise molested or disquieted concerning the same, or for refusal thereof, and that no freeman in any such manner is to be before mentioned, be imprisoned or detained, and that your majesty would be pleased to remove the said soldiers and mariners, and that people may not be so burthened in time to come, and that the aforesaid commissions for proceeding by martial law may be revoked and annulled, and that hereafter no commissions of like nature may issue forth, to any person or persons whatsoever, to be executed as aforesaid, lest, by colour of them, any of your majesty's subjects be destroyed, or put to death, contrary to the laws and franchise of the land.

XI. All which they most humbly pray of your most excellent majesty, as their rights and liberties, according to the laws and statutes of this realm, and that your majesty would also vouchsafe to declare, That the awards, doings, and proceedings to the prejudice of your people, in any of the premises, shall not be drawn hereafter into consequence or example, and that your majesty would be also graciously pleased, for the further comfort and safety of your people, to declare your royal will and pleasure, that in the things aforesaid, all your officers and ministers shall serve you according to the laws and statutes of this realm, as they tender the honour of your majesty, and the prosperity of this kingdom Stat. 17 Car., cap. 14.

fixed resolution, either gracefully to comply with it, or courageously to reject it.

It happened as might have been foreseen. The commons returned in very ill humour. Usually when in that disposition, their zeal for religion, and their enmity against the unfortunate catholics, ran extremely high. But they had already, in the beginning of the session, presented their petition of religion, and had received a satisfactory answer, though they expected that the execution of the laws against papists would, for the future, be no more exact and rigid than they had hitherto found it. To give vent to their present indignation, they fell with their utmost force on Dr Manwaring.

There is nothing which tends more to excuse, if not to justify, the extreme rigour of the commons towards Charles, than his open encouragement and avowal of such general principles as were altogether incompatible with a limited government. Manwaring had preached a sermon, which the commons found upon inquiry, to be printed by special command of the king (Parl Hist., vol viii, p 206), and when this sermon was looked into, it contained doctrines subversive of all civil liberty. It taught that, though property was commonly lodged in the subject, yet, whenever any exigency required supply, all property was transferred to the sovereign, that the consent of parliament was not necessary for the imposition of taxes; and that the divine laws required compliance with every demand, how irregular soever, which the prince should make upon his subjects.¹ For these doctrines the commons impeached Manwaring. The sentence pronounced upon him by the peers was, that he should be imprisoned during the pleasure of the house, be fined 1000*l* to the king, make submission and acknowledgment for his offence, be suspended during three years, be incapable of holding any ecclesiastical dignity or secular office, and that his book be called in and burnt (Rushworth, vol. i, p 65, Parl Hist., vol viii, p 212).

It may be worthy of notice, that no sooner was the session ended, than this man, so justly obnoxious to both houses, received a pardon, and was promoted to a living of considerable value (Rushworth, vol. i, p 635, Whitlocke, p. 11). Some years after, he was raised to the see of St. Asaph. If the republican spirit of the commons increased, beyond all reasonable bounds, the monarchical spirit of the court, this latter, carried to so high a pitch, tended still farther to augment the former. And thus extremes were everywhere affected, and the just medium was gradually deserted by all men.

From Manwaring, the house of commons proceeded to censure the conduct of Buckingham, whose name, hitherto, they had cautiously forbore to mention (Rushworth, vol i, p 607). In vain did the king send them a message, in which he told them that the session was drawing near to a conclusion, and desired that they would not enter upon new business, nor cast any aspersions on his government and ministry (Ibid, vol i, p 605). Though the court endeavoured to explain and soften this message by a subsequent message (Rushworth, vol i, p. 610; Parl Hist, vol viii, p 197), as Charles was apt

¹ Rushworth, vol. i, pp 585, 594, Parl Hist, vol viii, pp. 168, 169, 170, etc. Welwood, p 44

hastily to correct any hasty step which he had taken, it served rather to inflame than appease the commons, as if the method of their proceedings had here been prescribed to them. It was foreseen that a great tempest was about to burst on the duke, and in order to divert it, the king thought proper, upon a joint application of the lords and commons,¹ to endeavour giving them satisfaction with regard to the petition of right. He came, therefore, to the house of peers, and pronouncing the usual form of words, 'Let it be law as is desired,' gave full sanction and authority to the petition. The acclamations with which the house resounded, and the universal joy diffused over the nation, showed how much this petition had been the object of all men's vows and expectations (Rushworth, vol. 1, p. 613).

It may be affirmed, without any exaggeration, that the king's assent to the petition of right produced such a change in the government as was almost equivalent to a revolution, and by circumscribing in so many articles the royal prerogative, gave additional security to the liberties of the subject. Yet were the commons far from being satisfied with this important concession. Their ill humour had been so much irritated by the king's frequent evasions and delays, that it could not be presently appeased by an assent which he allowed to be so reluctantly extorted from him. Perhaps, too, the popular leaders, implacable and artful, saw the opportunity favourable, and turning against the king those very weapons with which he had furnished them, resolved to pursue the victory. The bill, however, for five subsidies, which had been formerly voted, immediately passed the house, because the granting of that supply was, in a manner, tacitly contracted for, upon the royal assent to the petition, and had faith been here violated, no farther confidence could have subsisted between king and parliament. Having made this concession, the commons continued to carry their scrutiny into every part of government. In some particulars their industry was laudable, in some, it may be liable to censure.

A little after writs were issued for summoning this parliament, a commission had been granted to Sir Thomas Coventry, lord keeper, the Earl of Marlborough, treasurer, the Earl of Manchester, president of the council, the Earl of Worcester, privy seal, the Duke of Buckingham, high admiral, and all the considerable officers of the crown,—in the whole, thirty-three. By this commission, which, from the number of persons named in it, could be no secret, the commissioners were empowered to meet and to concert among themselves the methods of levying money by impositions, or otherwise, 'where form and circumstance,' as expressed in the commission, 'must be dispensed with, 'rather than the substance be lost or hazarded' (Rush, vol. 1, p. 614; Parl. Hist., vol. viii, p. 214). In other words, this was a scheme for finding expedients which might raise the prerogative to the greatest height, and render parliaments entirely useless. The commons applied for cancelling the commission (Journ., 13 June, 1628), and were, no doubt, desirous that all the world should conclude the king's principles to be extremely arbitrary, and should observe what little regard he was disposed to pay to the liberties and privileges of his people.

¹ Rushworth, vol. 1, 613; Journ., 7th June, 1628, Parl. Hist., vol. viii, p. 201.

A commission had likewise been granted, and some money remitted, in order to raise a thousand German horse, and transport them into England. These were supposed to be levied in order to support the projected impositions or exercises, though the number seems insufficient for such a purpose (Rush, vol. 1, p. 612). The house took notice of this design in severe terms, and no measure, surely, could be projected more generally odious to the whole nation. It must, however, be confessed that the king was so far right, that he had, now at last, fallen on the only effectual method for supporting his prerogative. But at the same time, he should have been sensible that, till provided with a sufficient military force, all his attempts, in opposition to the rising spirit of the nation, must, in the end, prove wholly fruitless, and that the higher he screwed up the springs of government, while he had so little real power to retain them in that forced situation, with more fatal violence must they fly out, when any accident occurred to restore them to their natural action.

The commons next resumed their censure of Buckingham's conduct and behaviour, against whom they were implacable. They agreed to present a remonstrance to the king, in which they recapitulated all national grievances and misfortunes, and omitted no circumstance which could render the whole administration despicable and odious. The composition with catholics, they said, amounted to no less than a toleration, hateful to God, full of dishonour and disprofit to his majesty, and of extreme scandal and grief to his good people; they took notice of the violations of liberty above mentioned, against which the petition of right seems to have provided a sufficient remedy; they mentioned the decay of trade, the unsuccessful expeditions to Cadix and the Isle of Rhé, the encouragement given to Arminians, the commission for transporting German horse, that for levying illegal impositions, and all these grievances they ascribed solely to the ill-conduct of the Duke of Buckingham (Rush, vol. 1, p. 619, *Parl. Hist.*, vol. viii, pp. 219, 220, etc.). This remonstrance was, perhaps, not the less provoking to Charles, because, joined to the extreme acrimony of the subject, there were preserved in it, as in most of the remonstrances of that age, an affected civility and submission in the language. And as it was the first return which he met with for his late beneficial concessions, and for his sacrifices of prerogative,—the greatest by far ever made by an English sovereign,—nothing could be more the object of just and natural indignation.

It was not without good grounds that the commons were so fierce and assuming. Though they had already granted the king the supply of five subsidies, they still retained a pledge in their hands, which, they thought, ensured them success in all their applications. Tonnage and poundage had not yet been granted by parliament, and the commons had artfully, this session, concealed their intention of invading that branch of revenue till the royal assent had been obtained to the petition of right, which they justly deemed of such importance. They then openly asserted that the levying of tonnage and poundage without consent of parliament was a palpable violation of the ancient liberties of the people, and an open infringement of the petition of right, so lately granted (Rush, vol. 1, p. 628, *Journ.*, 18, 20 June, 1628). The

king, in order to prevent the finishing and presenting of this remonstrance, came (June 26) suddenly to the parliament, and ended this session by a prorogation (Journ., 26 June, 1628).

Being freed for some time from the embarrassment of this assembly, Charles began to look towards foreign wars, where all his efforts were equally unsuccessful as in his domestic government. The Earl of Denbigh, brother-in-law to Buckingham, was dispatched to the relief of Rochelle, now closely besieged by land, and threatened with a blockade by sea, but he returned without effecting anything, and having declined to attack the enemy's fleet, he brought on the English arms the imputation either of cowardice or ill conduct. In order to repair this dishonour, the duke went to Portsmouth, where he had prepared a considerable fleet and army, on which all the subsidies given by parliament had been expended. This supply had very much disappointed the king's expectations. The same mutinous spirit which prevailed in the house of commons had diffused itself over the nation, and the commissioners appointed for making the assessments had connived at all frauds which might diminish the supply and reduce the crown to still greater necessities. This national discontent, communicated to a desperate enthusiast, soon broke out in an event which may be considered as remarkable.

There was one Felton, of a good family, but of an ardent, melancholic temper, who had served under the duke in the station of lieutenant. His captain being killed in the retreat at the siege of Rhé, Felton had applied for the company, and when disappointed, he threw up his commission, and retired in discontent from the army. While private resentment was boiling in his sullen, unsociable mind, he heard the nation resound with complaints against the duke, and he met with the remonstrance of the commons, in which his enemy was represented as the cause of every national grievance, and as the great enemy of the public.

Religious fanaticism further inflamed these vindictive reflections, and he fancied that he should do heaven acceptable service if, at one blow, he dispatched this dangerous foe to religion and to his country (May's Hist. of the Parl., p. 10). Full of these dark views he secretly arrived at Portsmouth, at the same time with the duke, and watched for an opportunity of effecting his bloody purpose.

Buckingham had been engaged in conversation with Soubize and other French gentlemen, and a difference of sentiment having arisen, the dispute, though conducted with temper and decency, had produced some of those vehement gesticulations and lively exertions of voice, in which that nation, more than the English, are apt to indulge themselves. The conversation being finished, the duke drew towards the door, and in that passage, turning himself to speak to Sir Thomas Fryar, a colonel in the army, he was, on the sudden, over Sir Thomas's shoulder, struck upon the breast with a knife. Without uttering other words than, 'The villain has killed me,' in the same moment pulling out the knife, he breathed his last.

No man had seen the blow, nor the person who gave it, but in the confusion every one made his own conjecture, and all agreed that the murder had been committed by the French gentlemen, whose angry tone

of voice had been heard, while their words had not been understood by the bystanders." In the hurry of revenge they had instantly been put to death, had they not been saved by some of more temper and judgment, who, though they had the same opinion of their guilt, thought proper to reserve them for a judicial trial and examination.

Near the door there was found a hat, in the inside of which was sewed a paper, containing four or five lines of that remonstrance of the commons, which declared Buckingham an enemy to the kingdom, and under these lines was a short ejaculation, or attempt towards a prayer. It was easily concluded that this hat belonged to the assassin, but the difficulty still remained, 'Who that person should be?' For the writing discovered not the name; and whoever he was, it was natural to believe that he had already fled far enough not to be found without a hat.

In this hurry, a man without a hat was seen walking very composedly before the door. One crying out, 'Here is the fellow who killed the duke,' everybody ran to ask, 'Which is he?' The man very sedately answered, 'I am he.' The more furious immediately rushed upon him with drawn swords, others, more deliberate, defended and protected him, he himself, with open arms, calmly and cheerfully exposed his breast to the swords of the most enraged, being willing to fall a sudden sacrifice to their anger, rather than be reserved for that public justice which, he knew, must be executed upon him.

He was now known to be that Felton who had served in the army. Being carried into a private room, it was thought proper so far to dissemble as to tell him that Buckingham was only grievously wounded, but not without hopes of recovery. Felton smiled, and told them that the duke, he knew full well, had received a blow which had terminated all their hopes. When asked at whose instigation he had performed that horrid deed? he replied, that they needed not to trouble themselves in that inquiry, that no man living had credit enough with him to have disposed him to such an action; that he had not even entrusted his purpose to any one; that the resolution proceeded only from himself, and the impulse of his own conscience, and that his motives would appear if his hat were found; for that, believing he should perish in the attempt, he had there taken care to explain them (Clarendon, vol. 1, pp. 27, 28).

When the king was informed of this assassination, he received the news in public with an unmoved and undisturbed countenance, and the courtiers, who studied his looks, concluded that secretly he was not displeased to be rid of a minister so generally odious to the nation (Warwick, p. 34). But Charles's command of himself proceeded entirely from the gravity and composure of his temper. He was still, as much as ever, attached to his favourite, and during his whole life he retained an affection for Buckingham's friends, and a prejudice against his enemies. He urged, too, that Felton should be put to the question, in order to extort from him a discovery of his accomplices, but the judges declared that, though that practice had formerly been very usual, it was altogether illegal. So much more exact reasons, with regard to law, had they become, from the jealous scruples of the house of commons.

Meanwhile the distress of Rochelle had risen to the utmost extremity. That vast genius of Richelieu, which made him form the greatest enterprises, led him to attempt their execution by means equally great and extraordinary. In order to deprive Rochelle of all succour, he had dared to project the throwing across the harbour a mole of a mile's extent in that boisterous ocean; and having executed his project, he now held the town closely blockaded on all sides. The inhabitants, though pressed with the greatest rigours of famine, still refused to submit; being supported, partly by the lectures of their zealous preachers, partly by the daily hopes of relief from England. After Buckingham's death, the command of the fleet and army was conferred on the Earl of Lindesey, who, arriving before Rochelle, made some attempts to break through the mole, and force his way into the harbour, but by the delays of the English, that work was now fully finished and fortified; and the Rochelleis, finding their last hopes to fail them, were reduced (Oct 18) to surrender at discretion, even in sight of the English admiral. Of 15,000 persons, shut up in the city, 4,000 alone survived the fatigues and famine which they had undergone (Rush., vol 1, p 636).

This was the first necessary step towards the prosperity of France. Foreign enemies, as well as domestic factions, being deprived of this resource, that kingdom began now to shine forth in its full splendour. By a steady prosecution of wise plans, both of war and policy, it gradually gained an ascendant over the rival power of Spain, and every order of the state, and every sect, were reduced to pay submission to the lawful authority of the sovereign. The victory, however, over the Huguenots, was, at first, pushed by the French king with great moderation. A toleration was still continued to them, the only avowed and open toleration, which, at that time, was granted in any European kingdom.

The failure of an enterprise in which the English nation, from religious sympathy, so much interested themselves, could not but diminish the king's authority in the parliament during the approaching session; but the commons, when assembled (Jan 20, A D 1629), found many other causes of complaint. Buckingham's conduct and character with some had afforded a reason, with others a pretence, for discontent against public measures, but after his death, there wanted not new reasons and new pretences for general dissatisfaction. Manwaring's pardon and promotion were taken notice of by Sibthorpe and Cosins, two clergymen who, for like reasons, were no less obnoxious to the commons, had met with like favour from the king. Montague, who had been censured for moderation towards the catholics, the greatest of crimes, had been created Bishop of Chichester. They found, likewise, upon inquiry, that all the copies of the petition of right which were dispersed had, by the king's orders, annexed to them the first answer, which had given so little satisfaction to the commons (State Trials, vol vii, p 216, Rush, vol. 1, p 643), an expedient by which Charles endeavoured to persuade the people that he had nowise receded from his former claims and pretensions, particularly with regard to the levying of tonnage and poundage. Selden also complained in the house, that one Savage, contrary to the petition of right, had been punished

with the loss of his eais, by a discretionary or arbitrary sentence of the star-chamber (State Trials, vol vii, p 216, Parl Hist, vol viii, p. 246). So apt were they, on their part, to stretch the petition into such consequences as might deprive the crown of powers which, from immemorial custom, were supposed inherent in it

But the great article on which the house of commons broke with the king, and which finally created in Charles a disgust to all parliaments, was their claim with regard to tonnage and poundage. On this occasion, therefore, it is necessary to give an account of the controversy.

The duty of tonnage and poundage, in more ancient times, had been commonly a temporary grant of parliament, but it had been conferred on Henry V., and all the succeeding princes, during life, in order to enable them to maintain a naval force for the defence of the kingdom. The necessity of levying this duty had been so apparent that each king had ever claimed it from the moment of his accession, and the first parliament of each reign had usually, by vote, conferred on the prince what they found him already in possession of. Agreeably to the inaccurate genius of the old constitution, this abuse, however considerable, had never been perceived nor remedied, though nothing could have been easier than for the parliament to have prevented it (Parl. Hist, vol viii, pp 339, 340). By granting this duty to each prince, during his own life, and, for a year after his demise, to the successor, all inconveniences had been obviated, and yet the duty had never, for a moment, been levied without proper authority. But continuances of that nature were not thought of during those rude ages, and as so complicated and jealous a government as the English cannot subsist without many such refinements, it is easy to see how favourable every inaccuracy must formerly have proved to royal authority, which, on all emergencies, was obliged to supply by discretionary power the great deficiency of the laws.

The parliament did not grant the duty of tonnage and poundage to Henry VIII till the sixth of his reign, yet this prince, who had not then raised his power to its greatest height, continued, during that whole time, to levy the imposition: the parliament, in their very grant, blame the merchants who had neglected to make payment to the crown, and, though one expression of that bill may seem ambiguous, they employ the plainest terms in calling tonnage and poundage the king's due, even before that duty was conferred on him by parliamentary authority (6 Henry VIII, cap 14). Four reigns, and above a whole century, had since elapsed, and this revenue had still been levied before it was voted by parliament. So long had the inaccuracy continued, without being remarked or corrected.

During that short interval which passed between Charles's accession and his first parliament, he had followed the example of his predecessors, and no fault was found with his conduct in this particular. But what was most remarkable in the proceedings of that house of commons, and what proved beyond controversy that they had seriously formed a plan for reducing their prince to subjection, was that, instead of granting this supply during the king's life-time, as it had been enjoyed by all his immediate predecessors, they voted it only for a year, and, after that should be elapsed, reserved to themselves the power of

renewing or refusing the same concession (Journ, July 5, 1625) But the house of peers, who saw that this duty was now become more necessary than ever to supply the growing necessities of the crown, and who did not approve of this encroaching spirit in the commons, rejected the bill, and the dissolution of that parliament followed so soon after, that no attempt seems to have been made for obtaining tonnage and poundage in any other form.¹

Charles, meanwhile, continued still to levy this duty by his own authority, and the nation was so accustomed to that exertion of royal power, that no scruple was at first entertained of submitting to it. But the succeeding parliament excited doubts in every one. The commons took there some steps towards declaring it illegal to levy tonnage and poundage without consent of parliament, and they openly showed their intention of employing this engine, in order to extort from the crown concessions of the most important nature. But Charles was not yet sufficiently tamed to compliance, and the abrupt dissolution of that parliament, as above related, put an end, for the time, to their farther pretensions.

The following interval, between the second and third parliament, was distinguished by so many exertions of prerogative, that men had little leisure to attend to the affair of tonnage and poundage, where the abuse of power in the crown might seem to be of a more disputable nature. But after the commons, during the precedent session, had remedied all these grievances by means of their petition of right, which they deemed so necessary, they afterwards proceeded to take the matter into consideration, and they showed the same intention, as formerly, of exacting, in return for the grant of this revenue, very large compliances on the part of the crown. Their sudden prorogation prevented them from bringing their pretensions to a full conclusion.

When Charles opened this session, he had foreseen that the same controversy would arise; and he therefore took care, very early, among many mild and reconciling expressions, to inform the commons, 'That, he had not taken these duties as appertaining to his hereditary prerogative, but that it ever was, and still is, his meaning to enjoy them as a gift of his people, and that, if he had hitherto levied tonnage and poundage, he pretended to justify himself only by the necessity of so-doing, not by any right which he assumed.'² This concession, which probably arose from the king's moderate temper, now freed from the impulse of Buckingham's violent counsels, might have satisfied the commons, had they entertained no other view than that of ascertaining their own powers and privileges. But they carried their pretensions much higher. They insisted, as a necessary preliminary, that the king should once entirely desist from levying these duties, after which, they were to take it into consideration how far they would restore him to

¹ The reason, assigned by Sir Philip Warwick, p. 2, for this unusual measure of the commons, is, that they intended to deprive the crown of the prerogative, which it had assumed, of making the rates of the impositions, and at the same time were resolved to cut off the new rates fixed by James. These were considerable diminutions both of revenue and prerogative, and whether they would have there stopped, considering their present disposition, may be much doubted. The king, it seems, and the lords, were resolved not to trust to them, nor to render a revenue once precarious, which perhaps they might never afterwards be able to get re-established on the old footing.

² Rushworth, vol. 1, p. 644, Parl. Hist., vol. viii, pp. 256, 346.

the possession of a revenue of which he had clearly divested himself. But, besides that this extreme rigour had never been exercised towards any of his predecessors, and many obvious inconveniences must follow from the intermission of the customs, there were other reasons which deterred Charles from complying with so hard a condition. It was probable that the commons might renew their former project of making this revenue only temporary, and thereby reducing their prince to perpetual dependence, they certainly would cut off the new impositions which Mary and Elizabeth, but especially James, had levied, and which formed no despicable part of the public revenue, and they openly declared that they had, at present, many important pretensions, chiefly with regard to religion, and if compliance were refused, no supply must be expected from the commons.

It is easy to see in what an inextricable labyrinth Charles was now involved. By his own concessions, by the general principles of the English government, and by the form of every bill which had granted this duty, tonnage and poundage was derived entirely from the free gift of the people, and consequently, might be withdrawn at their pleasure. If unreasonable in their refusal, they still refused nothing but what was their own. If public necessity required this supply, it might be thought also to require the king's compliance with those conditions which were the price of obtaining it. Though the motive for granting it had been the enabling of the king to guard the seas, it did not follow that, because he guarded the seas, he was therefore entitled to this revenue without farther formality, since the people had still reserved to themselves the right of judging how far that service merited such a supply. But Charles, notwithstanding his public declaration, was far from assenting to this conclusion in its full extent. The plain consequence, he saw, of all these rigours and refinements, and inferences, was that he, without any public necessity, and without any fault of his own, must of a sudden, even from his accession, become a magistrate of very different nature from any of his predecessors, and must fall into a total dependence on subjects over whom former kings, especially those immediately preceding, had exercised an authority almost unlimited. Entangled in a chain of consequences which he could not easily break, he was inclined to go higher, and rather deny the first principle, than admit of conclusions which to him appeared so absurd and unreasonable. Agreeably to the ideas hitherto entertained both by natives and foreigners, the monarch he esteemed the essence and soul of the English government, and whatever other power pretended to annihilate or even abridge the royal authority, must necessarily, he thought, either in its nature or exercise, be deemed no better than an usurpation. Willing to preserve the ancient harmony of the constitution, he had ever intended to comply, as far as he easily could, with the ancient forms of administration, but when these forms appeared to him, by the inveterate obstinacy of the commons, to have no other tendency than to disturb that harmony, and to introduce a new constitution, he concluded that, in this violent situation, what was subordinate must necessarily yield to what was principal, and the privileges of the people, for a time, give place to royal prerogative. From the rank of a monarch, to

be degraded into a slave of his insolent, ungrateful subjects, seemed of all indignities the greatest, and nothing, in his judgment, could exceed the humiliation attending such a state, but the meanness of tamely submitting to it without making some efforts to preserve the authority transmitted to him by his predecessors.

Though these were the king's reflections and resolutions before the parliament assembled, he did not immediately break with them, upon their delay in voting him this supply. He thought that he could better justify any strong measure which he might afterwards be obliged to take, if he allowed them to carry to the utmost extremities their attacks upon his government and prerogative (Rushworth, vol. i, p. 642). He contented himself for the present, with soliciting the house by messages and speeches. But the commons, instead of hearkening to his solicitations, proceeded to carry their scrutiny into his management of religion (Idem, *ibid.*, p. 651, Whitlocke, p. 12), which was the only grievance to which, in their opinion, they had not as yet, by their petition of right, applied a sufficient remedy.

It was not possible that this century, so fertile in religious sects and disputes, could escape the controversy concerning fatalism and free-will, which, being strongly interwoven both with philosophy and theology, had in all ages thrown every school and every church into such inextricable doubt and perplexity. The first reformers in England, as in other European countries, had embraced the most rigid tenets of predestination and absolute decrees, and had composed upon that system all the articles of their religious creed. But these principles having met with opposition from Arminius and his sectaries, the controversy was soon brought into this island, and began here to diffuse itself. The Arminians, finding more encouragement from the superstitious spirit of the church than from the fanaticism of the puritans, gradually incorporated themselves with the former, and some of that sect, by the indulgence of James and Charles, had attained the highest preferments in the hierarchy. But their success with the public had not been altogether unanswerable to that which they met with in the church and the court. Throughout the nation they still lay under the reproach of innovation and heresy. The commons now levelled against them their formidable censures, and made them the objects of daily invective and declamation. Their protectors were stigmatized, their tenets canvassed, their views represented as dangerous and pernicious. To impartial spectators, surely, if any such had been at that time in England, it must have given great entertainment, to see a popular assembly, inflamed with faction and enthusiasm, pretend to discuss questions to which the greatest philosophers, in the tranquillity of retreat, had never hitherto been able to find any satisfactory solution.

Amidst that complication of disputes in which men were then involved, we may observe, that the appellation puritan stood for three parties, which, though commonly united, were yet actuated by very different views and motives. There were the political puritans, who maintained the highest principles of civil liberty, the puritans in discipline, who were averse to the ceremonies and episcopal government of the church; and the doctrinal puritans, who rigidly defended

the speculative system of the first reformers. In opposition to all these stood the court party, the hierarchy, and the Arminians, only with this distinction—that the latter sect, being introduced a few years before, did not as yet comprehend all those who were favourable to the church and to monarchy. But as the controversies on every subject grew daily warmer, men united themselves more intimately with their friends, and separated themselves wider from their antagonists, and the distinction gradually became quite uniform and regular.

This house of commons, which, like all the preceding, during the reigns of James and Charles, and even of Elizabeth, was much governed by the puritanical party, thought that they could not better serve their cause, than by branding and punishing the Arminian sect, which, introducing an innovation in the church, were the least favoured and least powerful of all their antagonists. From this measure it was easily foreseen that, besides gratifying the animosity of the doctrinal puritans, both the puritans in discipline, and those in politics, would reap considerable advantages. Laud, Neile, Montague, and other bishops, who were the chief supporters of episcopal government, and the most zealous partisans of the discipline and ceremonies of the church, were all supposed to be tainted with Arminianism. The same men, and their disciples, were the strenuous preachers of passive obedience, and of entire submission to princes, and if these could once be censured, and be expelled the church and court, it was concluded that the hierarchy would receive a mortal blow, the ceremonies be less rigidly insisted on, and the king, deprived of his most faithful friends, be obliged to abate those high claims of prerogative on which at present he insisted.

But Charles, besides a view of the political consequences which must result from a compliance with such pretensions, was strongly determined, from principles of piety and conscience, to oppose them. Neither the dissipation incident to youth, nor the pleasures attending a high fortune, had been able to prevent this virtuous prince from embracing the most sincere sentiments of religion, and that character which in that religious age should have been of infinite advantage to him, proved in the end the chief cause of his ruin,—merely because the religion adopted by him was not of that precise mode and sect which began to prevail among his subjects. His piety, though remote from popery, had a tincture of superstition in it, and being averse to the gloomy spirit of the puritans, was represented by them as tending towards the abominations of antichrist. Laud, also, had unfortunately acquired a great ascendant over him, and as all those prelates, obnoxious to the commons, were regarded as his chief friends and most favourite counsellors, he was resolved not to disarm and dishonour himself by abandoning them to the resentment of his enemies. Being totally unprovided with military force, and finding a refractory independent spirit to prevail among the people, the most solid basis of his authority, he thought, consisted in the support which he received from the hierarchy.

In the debates of the commons which are transmitted to us, it is easy to discern, so early, some sparks of that enthusiastic fire which

afterwards set the whole nation in combustion. One Rouse made use of an allusion, which, though familiar, seems to have been borrowed from the writings of Lord Bacon (Essay of Atheism) 'If a man meet a dog alone,' said he, 'the dog is fearful, though ever so fierce by nature, but if the dog have his master with him, he will set upon that man from whom he fled before. This shows that lower natures, being backed by higher, increase in courage and strength, and certainly man, being backed with Omnipotency, is a kind of omnipotent creature. All things are possible to him that believes, and where all things are possible, there is a kind of omnipotency. Wherefore, let it be the unanimous consent and resolution of us all to make a vow and covenant henceforth to hold fast our God and our religion, and then shall we henceforth expect with certainty, happiness in this world' (Rushworth, vol. 1, p. 646, Parl. Hist., vol. viii, p. 260).

Oliver Cromwell, at that time a young man of no account in the nation, is mentioned, in these debates, as complaining of one who, he was told, preached flat popery (Rushworth, vol. 1, p. 655, Parl. Hist., vol. viii, p. 289). It is amusing to observe the first words of this fanatical hypocrite correspond so exactly to his character.

The inquiries and debates concerning tonnage and poundage went hand in hand with these theological or metaphysical controversies. The officers of the custom-house were summoned before the commons to give an account by what authority they had seized the goods of merchants who had refused to pay these duties, the barons of the exchequer were questioned concerning their decrees on that head (Rushworth, vol. 1, p. 654; Parl. Hist., vol. viii, p. 301). One of the sheriffs of London was committed to the Tower for his activity in supporting the officers of the custom-house; the goods of Rolles, a merchant, and member of the house, being seized for his refusal to pay the duties, complaints were made of this violence, as if it were a breach of privilege (Rushworth, vol. 1, p. 653). Charles supported his officers in all these measures, and the quarrel grew every day higher between him and the commons (Ibid., p. 658). Mention was made in the house of impeaching Sir Richard Weston, the treasurer (Parl. Hist., vol. viii, p. 326), and the king began to entertain thoughts of finishing the session by a dissolution.

Sir John Elliot framed a remonstrance against levying tonnage and poundage without consent of parliament, and offered it to the clerk to read. It was refused. He read it himself. The question being then called for, the speaker, Sir John Finch, said, 'That he had a command from the king to adjourn, and to put no question.' Upon which he rose and left the chair. The whole house was in an uproar. The speaker was pushed back into the chair, and forcibly held in it by Hollis and Valentine, till a short remonstrance was framed, and was passed by acclamation rather than by vote. Papists and Arminians were there declared capital enemies to the commonwealth. Those

¹ The king's power of adjourning, as well as proroguing the parliament, was and is never questioned. In the 19th of the late king, the judges determined that the adjournment by the king kept the parliament *in statu quo* until the next sitting, but that then no committees were to meet, but if the adjournment be by the house, then the committees and other matters do continue. Parl. Hist., vol. v, p. 466.

who levied tonnage and poundage were branded with the same epithet. And even the merchants who should voluntarily pay these duties, were denominated betrayers of English liberty, and public enemies. The doors being locked, the gentleman usher of the house of lords, who was sent by the king, could not gain admittance till this remonstrance was finished. By the king's order, he took the mace from the table, which ended their proceedings (Rushworth, vol. 1, p. 669, Whitlocke, p. 12). And a few days after, the parliament was (Mar. 10) dissolved.

The discontents of the nation ran high, on account of this violent rupture between the king and the parliament. These discontents Charles inflamed by his affectation of a severity which he had not power, nor probably inclination, to carry to extremities. Sir Miles Hobart, Sir Peter Heyman, Selden, Coriton, Long, Strode, were committed to prison, on account of the last tumult in the house, which was called sedition¹. With great difficulty, and after several delays, they were released, and the law was generally supposed to be wrested, in order to prolong their imprisonment. Sir John Elliot, Hollis, and Valentine, were summoned to their trial in the king's bench, for seditious speeches and behaviour in parliament; but, refusing to to answer before an inferior court for their conduct, as members of a superior, they were condemned to be imprisoned during the king's pleasure, to find sureties for their good behaviour, and to be fined, the two former a thousand pounds apiece, the latter five hundred (Rushworth, vol. 1, pp. 684, 691). This sentence, procured by the influence of the crown, served only to show the king's disregard to the privileges of parliament, and to acquire an immense stock of popularity to the sufferers, who had so bravely, in opposition to arbitrary power, defended the liberties of their native country. The commons of England, though an immense body, and possessed of the greater part of national property, were naturally somewhat defenceless, because of their personal equality, and their want of leaders, but the king's severity, if these prosecutions deserve the name, here pointed out leaders to them, whose resentment was inflamed, and whose courage was nowise daunted by hardships which they had undergone in so honourable a cause.

So much did these prisoners glory in their sufferings that, though they were promised liberty on that condition, they would not condescend even to present a petition to the king, expressing their sorrow for having offended him (Whitlocke, p. 13). They unanimously refused to find sureties for their good behaviour; and disclaimed to accept of deliverance on such easy terms. Nay, Hollis was so industrious to continue his meritorious distress, that, when one offered to bail him, he would not yield to the rule of court, and he himself bound with his friend. Even Long, who had actually found sureties in the chief justice's chamber, declared in court that his sureties should no longer continue (Kennet, vol. iii., p. 49). Yet because Sir John Elliot happened to die while in custody, a great clamour was raised against the administration, and he was universally regarded as a martyr to the liberties of England (Rushworth, vol. v., p. 440).

¹ Rushworth, vol. 1, pp. 662, 682, Parl. Hist., vol. viii., p. 354; May, p. 13.

CHAPTER LII.

Peace with France — Peace with Spain — State of the court and ministry — Character of the queen. — Strafford — Land — Innovations in the church — Irregular levies of money — Severities in the star-chamber and high commission — Ship money — Trial of Hampden.

THERE now opens to us a new scene. Charles, naturally disgusted with parliaments, who, he found, were determined to proceed against him with unmitigated rigour, both in invading his prerogative, and refusing him all supply, resolved not to call any more, till he should see greater indications of a compliant disposition in the nation. Having lost his great favourite, Buckingham, he became his own minister, and never afterwards reposed in any one such unlimited confidence. As he chiefly follows his own genius and disposition, his measures are henceforth less rash and hasty, though the general tenor of his administration still wants somewhat of being entirely legal, and perhaps more of being entirely prudent.

We shall endeavour to exhibit a just idea of the events which followed for some years; so far as they regard foreign affairs, the state of the court, and the government of the nation. The incidents are neither numerous nor illustrious; but the knowledge of them is necessary for understanding the subsequent transactions, which are so memorable.

Charles, destitute of all supply, was necessarily reduced to embrace a measure which ought to have been the result of reason and sound policy. he made peace with the two crowns against which he had hitherto waged a war, entered into without a necessity and conducted without glory. Notwithstanding the distracted and helpless condition of England, no attempt was made, either by France or Spain, to invade their enemy, nor did they entertain any farther project than to defend themselves against the feeble and ill-concerted expeditions of that kingdom. Pleased that the jealousies and quarrels between king and parliament had disarmed so formidable a power, they carefully avoided any enterprise which might rouse either the terror or anger of the English, and dispose them to domestic union and submission. The endeavours to regain the good-will of the nation were carried so far by the king of Spain, that he generously released and sent home all the English prisoners taken in the expedition against Cadiz. The example was imitated by France, after the retreat of the English from the Isle of Rhé. When princes were in such dispositions, and had so few pretensions on each other, it could not be difficult to conclude a peace. The treaty was (April 14) first signed with France (Rushworth, vol. 11, pp. 23, 24). The situation of the king's affairs did not entitle him to demand any condition for the Huguenots, and they were abandoned to the will of their sovereign. Peace was afterwards (Nov. 5, A.D. 1639) concluded with Spain, where no conditions were made in favour of the Palatine, except that Spain promised in general to use their good offices for his restoration (*Idem*, *ibid*, p. 75, Whitlocke, p. 14). The influence of these two wars on domestic affairs, and on the dis-

positions of king and people, was of the utmost consequence, but no alteration was made by them on the foreign interests of the kingdom.

Nothing more happy can be imagined than the situation in which England then stood with regard to foreign affairs. Europe was divided between the rival families of Bourbon and Austria, whose opposite interests, and still more their mutual jealousies, secured the tranquillity of this island. Their forces were so nearly counterpoised, that no apprehensions was entertained of any event which could suddenly disturb the balance of power between them. The Spanish monarch, deemed the most powerful, lay at greatest distance, and the English, by that means, possessed the advantage of being engaged by political motives into a more intimate union and confederacy with the neighbouring potentate. The dispersed situation of the Spanish dominions rendered the naval power of England formidable to them, and kept that empire in continual dependence. France, more vigorous and more compact, was every day rising in policy and discipline, and reached, at last, an equality of power with the house of Austria; but her progress, slow and gradual, left it still in the power of England, by a timely interposition, to check her superiority. And thus Charles, could he have avoided all dissensions with his own subjects, was in a situation to make himself be counted and respected by every power in Europe, and, what has scarcely ever since been attained by the princes of this island, he could either be active with dignity, or neutral with security.

A neutrality was embraced by the king, and, during the rest of his reign, he seems to have little regarded foreign affairs, except so far as he was engaged by honour and friendship, by his sister and the Palatine, to endeavour the procuring of some relief for that unhappy family. He joined his good offices to those of France, and meditated a peace between the kings of Sweden and Poland, in hopes of engaging the former to embrace the protection of the oppressed protestants in the empire. This was the famed Gustavus, whose heroic genius, seconded by the wisest policy, made him, in a little time, the most distinguished monarch of the age, and rendered his country, formerly unknown and neglected, of great weight in the balance of Europe. To encourage and assist him in his projected invasion of Germany, Charles agreed to furnish him with six thousand men; but, that he might preserve the appearance of neutrality, he made use of the Marquis of Hamilton's name (Rushworth, vol. 1, pp. 46, 53, 62, 83). That nobleman entered into an engagement with Gustavus; and, enlisting these troops in England and Scotland at Charles's expense, he landed them in the Elbe. The decisive battle of Leipzig was fought soon after; where the conduct of Tilly and the valour of the Imperialists were overcome by the superior conduct of Gustavus and the superior valour of the Swedes. What remained of this hero's life was one continued series of victory, for which he was less beholden to fortune, than to those personal endowments, which he derived from nature and industry. That rapid progress of conquest, which we so much admire in ancient history, was here renewed in modern annals; and without that cause to which, in former ages, it had ever been owing. Military nations were not now engaged against an undisci-

plined and unwarlike people, nor heroes set in opposition to cowards. The veteran troops of Ferdinand, conducted by the most celebrated generals of the age, were foiled in every encounter, and all Germany was overrun in an instant by the victorious Swede. But by this extraordinary and unexpected success of his ally, Charles failed of the purpose for which he framed the alliance. Gustavus, elated by prosperity, began to form more extensive plans of ambition, and, in freeing Germany from the yoke of Ferdinand, he intended to reduce it to subjection under his own. He refused to restore the Palatine to his principality, except on conditions which would have kept him in total dependence (Franklyn, vol. 1, p. 415). And thus the negotiation was protracted, till the battle of Lutzen, where the Swedish monarch perished in the midst of a complete victory, which had he obtained over his enemies.

We have carried on these transactions a few years beyond the present period, that we might not be obliged to return to them nor be interrupted in our account of Charles's court and kingdoms.

When we consider Charles as presiding in his court, as associating with his family, it is difficult to imagine a character at once more respectable and amiable. A kind husband, an indulgent father, a gentle master, a steadfast friend, to all these eulogies, his conduct in private life fully entitled him. As a monarch, too, in the exterior qualities, he excelled, in the essential, he was not defective. His address and manner, though inclining a little towards statelyness and formality, in the main corresponded to his high rank, and gave grace to that reserve and gravity, which were natural to him. The moderation and equity which shone forth in his temper seemed to secure him against rash and dangerous enterprises, the good sense which he displayed in his discourse and conversation seemed to warrant his success in every reasonable undertaking. Other endowments likewise he had attained, which, in a private gentleman, would have been highly ornamental, and which, in a great monarch, might have proved extremely useful to his people. He was possessed of an excellent taste in all the fine arts, and the love of painting was in some degree his favourite passion. Learned beyond what is common in princes, he was a good judge of writing in others, and enjoyed, himself, no mean talent in composition. In any other age or nation, this monarch had been secure of a prosperous and happy reign. But the high idea of his own authority, which he had imbibed, made him incapable of giving way to the spirit of liberty which began to prevail among his subjects. His politics were not supported by such vigour and foresight as might enable him to subdue their pretensions, and maintain his prerogative at the high pitch to which it had been raised by his predecessors. And above all, the spirit of enthusiasm, being universally diffused, disappointed all the views of human prudence, and disturbed the operation of every motive which usually influences society.

But the misfortunes arising from these causes were yet remote. Charles now enjoyed himself in the full exercise of his authority, in a social intercourse with his friends and courtiers, and in a moderate use of those pleasures which he most affected.

After the death of Buckingham, who had somewhat alienated

Charles from the queen, she is to be considered as his chief friend and favourite. That rustic contempt of the fair sex which James affected, and which, banishing them from his court, made it resemble more a fair or an exchange than the seat of a great prince, was very wide of the disposition of this monarch. But, though full of complaisance to the whole sex, Charles reserved all his passion for his consort, to whom he attached himself with unshaken fidelity and confidence. By her sense and spirit, as well as by her beauty, she justified the fondness of her husband, though it is allowed that, being somewhat of passionate temper, she precipitated him into hasty and imprudent measures. Her religion, likewise, to which she was much addicted, must be regarded as a great misfortune, since it augmented the jealousy which prevailed against the court, and engaged her to procure (May, p. 21) for the catholics some indulgences which were generally distasteful to the nation.

In the former situation of the English government, when the sovereign was in a great measure independent of his subject, the king chose his ministers, either from personal favour, or from an opinion of their abilities, without any regard to their parliamentary interest or talents. It has since been the maxim of princes, wherever popular leaders encroach too much on royal authority, to confer offices on them; in expectation that they will afterwards become more careful not to diminish that power which has become their own. These politics were now embraced by Charles, a sure proof that a secret revolution had happened in the constitution, and had necessitated the prince to adopt new maxims of government (Sir Edw. Walker, p. 328). But the views of the king were at this time so repugnant to those of the puritans, that the leaders whom he gained, lost, from that moment, all interest with their party, and were even pursued as traitors, with implacable hatred and resentment. This was the case with Sir Thomas Wentworth, whom the king created first a baron, then a viscount, and afterwards Earl of Strafford, made him president of the council of York, and deputy of Ireland; and regarded him as his chief minister and counsellor. By his eminent talents and abilities, Strafford merited all the confidence which his master reposed in him, his character was stately and austere, more fitted to procure esteem than love; his fidelity to the king was unshaken; but as he now employed all his counsels to support the prerogative which he had formerly bent all his endeavours to diminish, his virtue seems not to have been entirely pure, but to have been susceptible of strong impressions from private interest and ambition. Sir Dudley Digges was about the same time created master of the rolls; Noy, attorney-general; Littleton, solicitor-general. All these had been parliamentary leaders; and were men eminent in their profession (Whitlocke, p. 13; May, p. 20).

In all ecclesiastical affairs, and even in many civil, Laud, bishop of London, had great influence over the king. This man was virtuous, if severity of manners alone, and abstinence from pleasure, could deserve that name. He was learned, if polemical knowledge could entitle him to that praise. He was disinterested, but with unceasing industry he studied to exalt the priestly and prelatical character, which was his own. His zeal was unrelenting in the cause of religion; that

is, in imposing, by rigorous measures, his own tenets and pious ceremonies on the obstinate puritans, who had profanely dared to oppose him. In prosecution of his holy purposes, he overlooked every human consideration, or, in other words, the heat and indiscretion of his temper made him neglect the views of prudence and rules of good manners. He was in this respect happy, that all his enemies were also imagined by him the declared enemies to loyalty and true piety, and that every exercise of his anger, by that means, became in his eyes a merit and a virtue. This was the man who acquired so great an ascendancy over Charles, and who led him, by the facility of his temper, into a conduct which proved fatal to himself and to his kingdoms.

The humour of the nation ran at that time into the extreme opposite to superstition; and it was with difficulty that the ancient ceremonies to which men had been sanctified by the practice of the first reformers, could be retained in divine service, yet was this the time which Laud chose for the introduction of new ceremonies and observances. Besides that these were sure to displease as innovations, there lay, in the opinion of the public, another very forcible objection against them. Laud, and the other prelates who embraced his measures, were generally well instructed in sacred antiquity, and had adopted many of those religious sentiments which prevailed during the fourth and fifth centuries, when the Christian church, as is well known, was already sunk into those superstitions, which were afterwards continued and augmented by the policy of Rome. The revival, therefore, of the ideas and practices of that age, could not fail of giving the English faith and liturgy some resemblance to the catholic superstition, which the kingdom in general, and the puritans in particular, held in the greatest horror and detestation. Men also were apt to think that, without some secret purpose, such insignificant observances would not be imposed with such unrelenting zeal on the refractory nation, and that Laud's scheme was to lead back the English, by gradual steps, to the religion of their ancestors. They considered not, that the very insignificance of these ceremonies recommended them to the superstitious prelate, and made them appear the more peculiarly sacred and religious, as they could serve to no other purpose. Nor was the resemblance to the Romish ritual any objection, but rather a merit, with Laud and his brethren, who bore a much greater kindness to the mother-church, as they called her, than to the sectaries and presbyterians, and frequently recommended her as a true Christian church, an appellation which they refused, or at least scrupled, to give the others (May, p. 25). So openly were these tenets espoused, that not only the discontented puritans believed the church of England to be relapsing fast into Romish superstition, the court of Rome itself entertained hope of regaining its authority in this island; and, in order to forward Laud's supposed good intentions, an offer was twice made him, in private, of a cardinal's hat, which he declined accepting (Rushworth, vol. ii, p. 190; Welwood, p. 61). His answer was, as he says himself, 'That something dwelt within him, which would not suffer his compliance, till Rome were other than it is' (Rushworth, vol. iii, p. 1327; Whitlocke, p. 97).

A court lady, daughter of the Earl of Devonshire, having turned

catholic, was asked by Laud the reasons of her conversion, 'Tis chiefly,' said she, 'because I hate to travel in a crowd' The meaning of this expression being demanded, she replied, 'I perceive your grace and many others are making haste to Rome, and therefore, in order to prevent my being crowded, I have gone before you' It must be confessed that, though Laud deserved not the appellation of papist, the genius of his religion was, though in a less degree, the same with that of the Romish, the same profound respect was exacted to the sacerdotal character, the same submission required to the creeds and decrees of synods and councils, the same pomp and ceremony was affected in worship, and the same superstitious regard to days, postures, meats, and vestments No wonder, therefore, that this pilate was everywhere, among the puritans, regarded with horror, as being the forerunner of antichrist.

As a specimen of the new ceremonies, to which Laud sacrificed his own quiet and that of the nation, it may not be amiss to relate those which he was accused of employing in the consecration of St Catherine's church, and which were the object of general scandal and offence.

On the bishop's approach to the west door of the church, a loud voice cried, 'Open, open, ye everlasting doors, that the king of glory may enter in.' Immediately the doors of the church flew open, and the bishop entered. Falling upon his knees, with eyes elevated and arms expanded, he uttered these words 'This place is holy, the ground is holy in the name of the Father, Son, and Holy Ghost, I pronounce it holy.'

Going towards the chancel, he several times took up from the floor some of the dust, and threw it in the air. When he approached, with his attendants, near to the communion-table, he bowed frequently towards it, and on their return, they went round the church, repeating as they marched along, some of the psalms; and then said a form of prayer, which concluded with these words. 'We consecrate this church, and separate it unto Thee as holy ground, not to be profaned any more to common uses.'

After this, the bishop, standing near the communion-table, solemnly pronounced many imprecations upon such as should afterwards pollute that holy place by musters of soldiers, or keeping in it profane law-courts, or carrying burthens through it. On the conclusion of every curse, Laud bowed towards the east, and cried, 'Let all the people say, Amen.'

The sermon followed, after which the bishop consecrated and administered the sacrament in the following manner --

As he approached the communion-table, he made many lowly reverences, and coming up to that part of the table where the bread and wine lay, he bowed seven times. After the reading of many prayers, he approached the sacramental elements, and gently lifted up the corner of the napkin, in which the bread was placed. When he beheld the bread, he suddenly let fall the napkin, flew back a step or two, bowed three several times towards the bread, then he drew nigh again, opened the napkin, and bowed as before.

Next he laid his hand on the cup, which had a cover upon it, and was filled with wine. He let go the cup, fell back, and bowed thrice

towards it. He approached again, and lifting up the cover, peeped into the cup. Seeing the wine, he let fall the cover, started back and bowed as before. Then he received the sacrament, and gave it to others. And many prayers being said, the solemnity of the consecration ended. The walls and floor and roof of the fabric were then supposed to be sufficiently holy.¹

Orders were given, and rigorously insisted on, that the communion-table should be removed from the middle of the area, where it hitherto stood in all churches, except in cathedrals (Rushworth, vol. 11, p. 207, Whitlocke, p. 24). It was placed at the east end, railed in, and denominated an altar, as the clergyman who officiated there received commonly the appellation of priest. It is not easy to imagine the discontents excited by this innovation, and the suspicions which it gave rise to.

The kneeling at the altar, and the using of copes, a species of embroidered vestment, in administering the sacrament, were also known to be great objects of scandal, as being popish practices, but the opposition rather increased than abated the zeal of the prelate for the introduction of these habits and ceremonies.

All kinds of ornament, especially pictures, were necessary for supporting that mechanical devotion, which was purposed to be raised in this model of religion, but as these had been so much employed by the church of Rome, and had given rise to so much superstition, or what the puritans call idolatry, it was impossible to introduce them into English churches, without exciting general murmurs and complaints. But Laud, possessed of present authority, persisted in his purpose, and made several attempts towards acquiring these ornaments. Some of the pictures introduced by him were also found, upon inquiry, to be the very same that might be met with in the mass-book. The crucifix, too, that eternal consolation of all pious catholics, and terror to all sound protestants, was not forgotten on this occasion (Rushworth, vol. 11, pp. 272, 273).

It was much remarked, that Sheffield, the recorder of Salisbury, was tried in the star-chamber, for having broken, contrary to the Bishop of Salisbury's express injunctions, a painted window of St Edmond's church in that city. He boasted that he had destroyed these monuments of idolatry, but for this effort of his zeal, he was fined 500*l*, removed from his office, condemned to make a public acknowledgment, and be bound to his good behaviour.²

Not only such of the clergy as neglected to observe every ceremony were suspended and deprived by the high-commission court, oaths were, by many of the bishops, imposed on the churchwardens, and they were sworn to inform against any one who acted contrary to the ecclesiastical canons (Ibid, p. 186). Such a measure, though practised during the reign of Elizabeth, gave much offence, as resembling too nearly the practice of the Romish inquisition.

To show the great alienation from the churches reformed after the presbyterian model, Laud advised that the discipline and worship of the church should be imposed on the English regiments and trading

¹ Rushworth, vol. 11, pp. 76, 77, Welwood, p. 275, Franklyn, p. 386.

² Rushworth, vol. 11, p. 152, State Trials, vol. v, p. 46, Franklyn, pp. 420, 421, 422.

companies abroad (Rushworth, vol 11, p 249, Franklyn, p. 451) All foreigners of the Dutch and Walloon congregations were commanded to attend the established church, and indulgence was granted to none after the children of the first denizens (Rushworth, vol 11, p 272) Scudamore, too, the king's ambassador at Paris, had orders to withdraw himself from the communion of the Huguenots. Even men of sense were apt to blame this conduct, not only because it gave offence in England, but because in foreign countries, it lost the crown the advantage of being considered as the head and support of the reformation (Clarendon State Papers, p. 338)

On pretence of pacifying disputes, orders were issued from the council, forbidding, on both sides, all preaching and printing with regard to the controverted points of predestination and free-will. But it was complained of, and probably with reason, that the impartiality was altogether confined to the orders, and that the execution of them was only meant against the Calvinists

In return for Charles's indulgence towards the church, Laud and his followers took care to magnify, on every occasion, the legal authority, and to treat with the utmost disdain or detestation, all puritanical pretensions to a free and independent constitution. But while these prelates were so liberal in raising the crown at the expense of public liberty, they made no scruple of encroaching themselves on the royal rights the most incontestible, in order to exalt the hierarchy, and procure to their own order dominion and independence. All the doctrines which the Romish church had borrowed from some of the fathers, and which freed the spiritual from subordination to the civil power, were now adopted by the church of England, and interwoven with her political and religious tenets. A divine and apostolical charter was insisted on, preferably to a legal and parliamentary one (Whitlocke, p 22) The sacerdotal character was magnified as sacred and indefeasible; all rights to spiritual authority, or even to private judgment in spiritual subjects, was refused to profane laymen, ecclesiastical courts were held by the bishops in their own name, without any notice taken of the king's authority, and Charles, though extremely jealous of every claim in popular assemblies, seemed rather to encourage than repress those encroachments of his clergy. Having felt many sensible inconveniences from the independent spirit of parliaments, he attached himself entirely to those who professed a devoted obedience to his crown and person, nor did he foresee that the ecclesiastical power which he exalted, not admitting of any precise boundary, might in time become more dangerous to public peace, and no less fatal to royal prerogative than the other.

So early as the coronation, Laud was the person, according to general opinion, that introduced a novelty which, though overlooked by Charles, made a deep impression on many of the bystanders. After the usual ceremonies, these words were recited to the king: 'Stand and hold fast, from henceforth, the place to which you have been heir by the succession of your forefathers, being now delivered to you by the authority of Almighty God, and by the hands of us and all the bishops and servants of God. And as you see the clergy to come nearer the altar than others, so remember, that in all places

‘convenient, you give them greater honour, that the Mediator of God and man may establish you on the kingly throne, to be a mediator betwixt the clergy and the laity, and that you may reign for ever with Jesus Christ, the King of kings, and Lord of lords’ (Franklyn, p 114, Rushworth, vol 1., p 201)

The principles which exalted prerogative, were not entertained by the king merely as soft and agreeable to his royal ears, they were also put in practice during the time that he ruled without parliaments. Though frugal and regular in his expense, he wanted money for the support of government, and he levied it, either by the revival of obsolete laws, or by violations, some more open, some more disguised, of the privileges of the nation. Though humane and gentle in his temper, he gave way to a few severities in the star-chamber and high-commission, which seemed necessary, in order to support the present mode of administration, and repress the rising spirit of liberty throughout the kingdom. Under these two heads may be reduced all the remarkable transactions of this reign, during some years, for in peaceable and prosperous times, where a neutrality in foreign affairs is observed, scarcely anything is remarkable, but what is, in some degree, blamed or blameable. And, lest the hope of relief or protection from parliament might encourage opposition, Charles issued a proclamation, in which he declared, ‘That whereas, for several ill ends, the calling again of a parliament is divulged, though his majesty has shown, by frequent meetings with his people, his love to the use of parliaments, yet the late abuse having for the present, driven him unwillingly out of that course, he will account it presumption for any one to prescribe to him any time for the calling of that assembly’ (Parl. Hist, vol. viii, p 389, Rush, vol 11, p 3). This was generally construed as a declaration that, during this reign, no more parliaments were intended to be summoned (Clarendon, vol 1, p 4; May, p 14). And every measure of the king’s confirmed a suspicion, so disagreeable to the generality of the people.

Tonnage and poundage continued to be levied by the royal authority alone. The former additional impositions were still exacted. Even new impositions were laid on several kinds of merchandise (Rushworth, vol 11, p. 8; May, p 16).

The custom-house officers received orders from the council to enter into any house, warehouse, or cellar, to search any trunk or chest, and to break any bulk whatever, in default of the payment of customs (Ibid, vol 11., p 9).

In order to exercise the militia, and to keep them in good order, each county, by an edict of the council, was assessed in a certain sum, for maintaining a muster-master, appointed for that service (Ibid, vol. 11., p 10).

Compositions were openly made with recusants, and the popish religion became a regular part of the revenue. This was all the persecution which it underwent during the reign of Charles (Idem, *ibid.*, pp 11, 12, 13, 247).

A commission was granted for compounding with such as were possessed of crown-lands upon defective titles, and, on this pretence, some money was exacted from the people (Idem, *ibid.*, p 49).

There was a law of Ed II. (*Statutum de militibus*), that whoever was possessed of 20*l*. a year in land, should be obliged, when summoned, to appear and to receive the order of knighthood. Twenty pounds, at that time, partly by the change of denomination, partly by that in the value of money, were equivalent to 200*l*. in the seventeenth century, and it seemed just, that the king should not strictly insist on the letter of the law, and oblige people of so small revenue to accept of that expensive honour. Ed VI (Rymer, tom xv, p 124), and Queen Elizabeth (Idem, 493, 504), who had both of them made use of this expedient for raising money, had summoned only those who were possessed of 40*l*. a year and upwards to receive knighthood, or compound for their neglect, and Charles imitated their example, in granting the same indulgence. Commissioners were appointed for fixing the rates of composition, and instructions were given to these commissioners, not to accept of a less sum than would have been due by the party, upon a tax of three subsidies and a half (Rushworth, vol II, pp. 70, 71, 72, May, p 16). Nothing proves more plainly how ill-disposed the people were to the measures of the crown, than to observe, that they loudly complained of an expedient founded on positive statute, and warranted by such recent precedents. The law was pretended to be obsolete, though only one reign had intervened since the last execution of it.

Barnard, lecturer of St Sepulchre's, London, used this expression in his prayer before sermon, 'Loid, open the eyes of the queen's majesty, that she may see Jesus Christ, whom she has pierced with her infidelity, superstition, and idolatry'. He was questioned in the high-commission court for this insult on the queen, but, upon his submission, dismissed (Rushworth, vol II, p 32). Leighton, who had written libels against the king, the queen, the bishops, and the whole administration, was condemned by a very severe, if not a cruel, sentence; but the execution of it was suspended for some time, in expectation of his submission (Kennet's Hist, vol III, p. 60; Whitlocke, p. 15). All the severities, indeed, of this reign were exercised against those who triumphed in their sufferings, who courted persecution, and braved authority, and, on that account, their punishment may be deemed the more just, but the less prudent. To have neglected them entirely, had it been consistent with order and public safety, had been the wisest measure that could have been embraced, as perhaps it had been the most severe punishment that could have been inflicted on these zealots.

In order to gratify the clergy with a magnificent fabric, subscriptions were (A D 1631) set on foot for repairing and rebuilding St. Paul's; and the king, by his countenance and example, encouraged this laudable undertaking (Idem, p 17). By order of the privy-council, St. Gregory's church was removed, as an impediment to the project of extending and beautifying the cathedral. Some houses and shops likewise were pulled down, and compensation was made to the owners (Rushworth, vol II, pp 88, 89, 90, 207, 462, 718). As there was no immediate prospect of assembling a parliament, such acts of power in the king became necessary, and in no former age would the people have entertained any scruple with regard to them. It must be re-

marked, that the puritans were extremely averse to the raising of this ornament to the capital. It savoured, as they pretended, of popish superstition.

A stamp duty was imposed on cards, a new tax, which, of itself, was liable to no objection, but appeared of dangerous consequence, when considered as arbitrary and illegal (Rush, *ibid.*, p. 103).

Monopolies were revived, an oppressive method of levying money, being unlimited, as well as destructive of industry. The last parliament of James, which abolished monopolies, had left an equitable exception in favour of new inventions, and on pretence of these, and of erecting new companies and corporations, was this grievance now renewed. The manufacture of soap was given to a company who paid a sum for their patent (Rushworth, vol. II, pp. 136, 142, 189, 252). Leather, salt, and many other commodities, even down to linen rags, were likewise put under restrictions.

It is affirmed by Clarendon, that so little benefit was reaped from these projects, that of 200,000*l.* thereby levied on the people, scarcely 1500*l.* came into the king's coffers. Though we ought not to suspect the noble historian of exaggerations to the disadvantage of Charles's measures, this fact, it must be owned, appears somewhat incredible. The same author adds, that the king's intention was to teach his subjects how unthrifty a thing it was to refuse reasonable supplies to the crown. An impudent project, to offend a whole nation, under the view of punishment, and to hope, by acts of violence, to break their refractory spirits, without being possessed of any force to prevent resistance.

The council of York had been first erected, after a rebellion, by a patent from Hen VIII, without any authority of parliament, and this exercise of power, like many others, was indulged to that arbitrary monarch. This council had long acted chiefly as a criminal court, but, besides some innovations, introduced by James, Charles thought proper (A.D. 1632), some time after Wentworth was made president, to extend its powers, and to give it a large civil jurisdiction, and that, in some respects, discretionary (Rushworth, vol. II, pp. 158, 159, etc.; Franklyn, p. 412). It is not improbable that the king's intention was only to prevent inconveniences which arose from the bringing of every cause, from the most distant parts of the kingdom, into Westminster Hall; but the consequence, in the meantime, of this measure, was the putting of all the northern counties out of the protection of ordinary law, and subjecting them to an authority somewhat arbitrary. Some irregular acts of that council were, this year, complained of (Rushworth, vol. II, pp. 202, 203).

The court of star-chamber (A.D. 1633), extended its authority, and it was matter of complaint, that it encroached upon the jurisdiction of the other courts, imposing heavy fines, and inflicting severe punishment, beyond the usual course of justice. Sir David Foulis was fined 5000*l.*, chiefly because he had dissuaded a friend from compounding with the commissioners of knighthood (*Ibid.*, vol. II, pp. 215, etc.).

Prynne, a barrister of Lincoln's Inn, had written an enormous quarto of a thousand pages, which he called 'Histio-Mastyx'. Its professed purpose was to decry stage-plays, comedies, interludes, music, dancing; but the author likewise took occasion to declaim

against hunting, public festivals, Christmas keeping, bonfires, and May-poles. His zeal against all these levities, he says, was first moved by observing that plays sold better than the choicest sermons, and that they were frequently printed on finer paper than the Bible itself. Besides, that the players were often papists, and desperately wicked; the play-houses, he affirms, are Satan's chapels, the play-haunters little better than incarnate devils, and so many steps in a dance, so many paces to hell. The chief crime of Nero he represents to have been, his frequenting and acting of plays, and those who nobly conspired his death were principally moved to it, as he affirms, by their indignation at that enormity. The rest of his thousand pages is of a like strain. He had obtained a licence from Archbishop Abbot's chaplain, yet was he indicted in the star-chamber as a libeller. It was thought somewhat hard, that general invectives against plays should be interpreted into satires against the king and queen, merely because they frequented these amusements, and because the queen sometimes acted a part in pastorals and interludes, which were represented at court. The author, it must be owned, had, in plainer terms, blamed the hierarchy, the ceremonies, the innovations in religious worship, and the new superstitions, introduced by Laud;¹ and this, probably, together with the obstinacy and petulance of his behaviour before the star-chamber, was the reason why his sentence was so severe. He was condemned to be put from the bar, to stand on the pillory in two places, Westminster and Cheapside, to lose both his ears, one in each place, to pay 5000*l* fine to the king, and to be imprisoned during life (Rush, vol. ii, pp. 220, etc.).

This same Prynne was a great hero among the Puritans, and it was chiefly with a view of mortifying that sect that, though of an honourable profession, he was condemned by the star-chamber to so ignominious a punishment. The thorough-paced puritans were distinguishable by the sourness and austerity of their manners, and by their aversion to all pleasure and society (Dugdale, p. 2). To inspire them with better humour was certainly, both for their own sake and that of the public, a laudable intention in the court, but whether pillories, fines, and prisons, were proper expedients for that purpose, may admit of some question.

Another expedient which the king tried, in order to infuse cheerfulness into the national devotion, was not much more successful. He renewed his father's edict for allowing sports and recreations on the Sunday to such as attended public worship, and he ordered his proclamation for that purpose to be publicly read by the clergy after divine service.² Those who were puritanically affected refused obedience, and were punished by suspension or deprivation. The differences between the sects were before sufficiently great; nor was it necessary to widen them farther by these inventions.

¹ The music in the churches he affirmed not to be the noise of men, but a bleating of brute beasts, choristers bellow the tenor, as it were oxen, break a counterfeit, as it were a kennel of dogs, roar out a tible, as it were a sort of bulls, and grunt out a bass, as it were a number of hogs. Christmas, as it is kept, is the devil's Christmas, and Prynne employed a great number of pages to persuade men to affect the name of 'Puritan,' as if Christ had been a Puritan, and so he saith in his Index. Rush, vol. ii, p. 223.

² Rush, vol. ii, pp. 193, 459, Whitlocke, pp. 16, 17, Finklyn, p. 437.

Some encouragement and protection which the king and the bishops gave to wakes, church-ales, bride-ales, and other cheerful festivals of the common people, were the objects of like scandal to the puritans (Rush, vol. II, pp. 191, 192, May, p. 2).

This year (June 12) Charles made a journey to Scotland, attended by the court, in order to hold a parliament there, and to pass through the ceremony of his coronation. The nobility and gentry of both kingdoms rivalled each other in expressing all duty and respect to the king, and in showing mutual friendship and regard to each other. No one could have suspected, from exterior appearances, that such dreadful scenes were approaching.

One chief article of business (for it deserves the name) which the king transacted in this parliament was, besides obtaining some supply, to procure authority for ordering the habits of clergymen (Rush, *ibid.*, p. 183). The act did not pass without opposition and difficulty. The dreadful surplice was before men's eyes, and they apprehended, with some reason, that, under sanction of this law, it would soon be introduced among them. Though the king believed that his prerogative entitled him to a power in general of directing whatever belonged to the exterior government of the church, this was deemed a matter of too great importance to be ordered without the sanction of a particular statute of parliament.

Immediately after the king's return to England, he heard of Archbishop Abbot's death, and, without delay, he conferred that dignity on his favourite, Laud, who, by this accession of authority, was now enabled to maintain ecclesiastical discipline with greater rigour, and to aggravate the general discontent of the nation.

Laud obtained the bishopric of London for his friend Juxon, and, about a year after the death of Sir Richard Weston, created Earl of Portland, had interest enough to engage the king to make that prelate high treasurer. Juxon was a person of great integrity, mildness, and humanity, and endued with a good understanding (Whitlocke, p. 23, Clarendon, vol. I, p. 99). Yet did this last promotion give general offence. His birth and character was deemed too obscure for a man raised to one of the highest offices of the crown. And the clergy, it was thought, were already too much elated by former instances of the king's attachment to them, and needed not this farther encouragement to assume dominion over the laity (Clarendon, vol. I, p. 97, May, p. 23). The puritans, likewise, were much dissatisfied with Juxon, notwithstanding his eminent virtues, because he was a lover of profane field-sports and hunting.

Ship-money (A. D. 1634) was now introduced. The first writs of this kind had been directed to seaport towns only, but ship-money was at this time levied on the whole kingdom, and each county was rated at a particular sum, which was afterwards assessed upon individuals (Rushworth, vol. II., pp. 257, 258, etc). The amount of the whole tax was very moderate, little exceeding 200,000*l.*, it was levied upon the people with equality, the money was entirely expended on the navy, to the great honour and advantage of the kingdom. As England had no military force, while all the other powers of Europe were strongly armed, a fleet seemed absolutely necessary for her security, and it

was obvious that a navy must be built and equipped at leisure during peace, nor could it possibly be fitted out on a sudden emergence, when the danger became urgent, yet all these considerations could not reconcile the people to the imposition. It was entirely arbitrary, by the same right any other tax might be imposed, and men thought a powerful fleet, though very desirable, both for the credit and safety of the kingdom, but an unequal recompense for their liberties, which, they apprehended, were thus sacrificed to the obtaining of it.

England, it must be owned, was, in this respect, unhappy in its present situation, that the king had entertained a very different idea of the constitution from that which 'began,' in general, to prevail among his subjects. He did not regard national privileges as so sacred and inviolable, that nothing but the most extreme necessity could justify an infringement of them. He considered himself as the supreme magistrate, to whose care Heaven, by his birthright, had committed his people, whose duty it was to provide for their security and happiness, and who was vested with ample discretionary powers for that salutary purpose. If the observance of ancient laws and customs was consistent with the present convenience of government, he thought himself obliged to comply with that rule, as the easiest, the safest, and what procured the most prompt and willing obedience. But when a change of circumstances, especially if derived from the obstinacy of the people, required a new plan of administration, national privileges, he thought, must yield to supreme power, nor could any order of the state oppose any right to the will of the sovereign, directed to the good of the public (Rushworth, vol. iv, pp. 535, 542). That these principles of government were derived from the uniform tenor of the English laws, it would be rash to affirm. The fluctuating nature of the constitution, the impatient humour of the people, and the variety of events, had, no doubt, in different ages, produced exceptions and contradictions. These observations alone may be established on both sides: that the appearances were sufficiently strong in favour of the king to apologise for his following such maxims, and that public liberty must be so precarious under this exorbitant prerogative, as to render an opposition not only excusable, but laudable, in the people.¹

Some laws had been enacted, during the reign of Henry VII, against depopulation, or the converting of arable lands into pasture. By a decree of the star-chamber, Sir Anthony Rope was fined 4000*l* for an offence of that nature (Rushworth, vol. ii, p. 270, vol. iii, app. p. 106). This severe sentence was intended to terrify others into composition; and

¹ Here is a passage of Sir John Davis's question concerning impositions, p. 131. 'The power of laying on arbitrarily new impositions being a prerogative in point of government, as well as in point of profit, it cannot be restrained or bound by act of parliament, it cannot be limited by any certain or fixed rule of law, no more than the course of a pilot upon the sea, who must turn the helm, or bear higher or lower sail, according to the wind or weather, and therefore it may be properly said, that the king's prerogative, in this point, is as strong as Samson—it cannot be bound, for though an act of parliament be made to restrain it, and the king doth give his consent unto it, as Samson was bound with his own consent, yet if the Philistines come—that is, if any just or important occasion do arise—it cannot hold or restrain the prerogative, it will be as thread and broken as easy as the bonds of Samson. The king's prerogatives are the sunbeams of the crown, and as inseparable from it as the sunbeams from the sun, the king's crown must be taken from him, Samson's hair must be cut out, before his courage can be any jot abated. Hence it is that neither the king's act, nor any act of parliament, can give away his prerogative.'

above 30,000*l* were levied by that expedient (Rush, vol. 11, p. 333; Franklyn, p. 478) Like compositions or, in default of them, heavy fines, were required for encroachments on the king's forests, whose bounds, by decrees deemed arbitrary, were extended much beyond what was usual (May, p. 16) The bounds of one forest, that of Rockingham, were increased from six miles to sixty (Strafford's Letters and Despatches, vol. 11, p. 117) The same refractory humour which made the people refuse to the king voluntary supplies, disposed them, with better reason, to murmur against these irregular methods of taxation

Morley was fined 10,000*l* for reviling, challenging, and striking, in the court of Whitehall, Sir George Theobald, one of the king's servants (Rushworth, vol. 11, p. 270) This fine was thought exorbitant; but whether it was compounded, as was usual in fines imposed by the star-chamber, we are not informed

Allison had reported that the Archbishop of York had incurred the king's displeasure by asking a limited toleration for the catholics, and an allowance to build some churches for the exercise of their religion For this slander against the archbishop, he was condemned in the star-chamber to be fined 1000*l*, to be committed to prison, to be bound to his good behaviour during life, to be whipped, and to be set on the pillory at Westminster, and in three other towns in England Robins, who had been an accomplice in the guilt, was condemned by a sentence equally severe (Ibid, p. 269) Such events are rather to be considered as rare and detached incidents, collected by the severe scrutiny of historians, than as proofs of the prevailing genius of the king's administration, which seems to have been more gentle and equitable than that of most of his predecessors there were, on the whole, only five or six such instances of rigour during the course of fifteen years, which elapsed before the meeting of the Long Parliament And it is also certain that scandal against the great, though seldom prosecuted at present, is, however, in the eye of the law, a great crime, and subjects the offender to very heavy penalties

There are other instances of the high respect paid to the nobility and to the great in that age. when the powers of monarchy, though disputed, still maintained themselves in their pristine vigour Clarendon (Life of Clarendon, vol. 1, p. 72) tells us a pleasant incident to this purpose a waterman, belonging to a man of quality, having a squabble with a citizen about his fare, showed his badge, the crest of his master, which happened to be a swan, and thence insisted on better treatment from the citizen But the other replied carelessly, that he did not trouble his head about that goose For this offence he was summoned before the marshal's court, was fined, as having opprobriously defamed the nobleman's crest, by calling the swan a goose, and was in effect reduced to beggary.

Sir Richard Granville had thought himself ill used by the Earl of Suffolk in a law suit; and he was accused before the star-chamber of having said of that nobleman that he was a base lord The evidence against him was somewhat lame, yet for this slight offence, insufficiently proved, he was condemned to pay a fine of 8000*l*, one half to the earl, the other to the king (Lord Lansdown, p. 514)

Sir George Markham, following a chase where Lord Darcy's hunts-

man was exercising his hounds, kept closer to the dogs than was thought proper by the huntsman, who, besides other rudeness, gave him foul language, which Sir George returned with a stroke of his whip. The fellow threatened to complain to his master. the knight replied, 'If his master should justify such insolence, he would serve 'him in the same manner,' or words to that effect. Sir George was summoned before the star-chamber, and fined 10,000/. 'So fine a 'thing was it in those days to be a lord'—a natural reflection of Lord Lansdown's in relating this incident.¹ The people, in vindicating their liberties from the authority of the crown, threw off also the yoke of the nobility. It is proper to remark, that this last incident happened early in the reign of James. The present practice of the star-chamber was far from being an innovation; though the present dispositions of the people made them repine more at this servitude.

Charles had imitated the example of Elizabeth and James, and had (A.D. 1635) issued proclamations forbidding the landed gentlemen and the nobility to live idly in London, and ordering them to return to their country-seats (Rushworth, vol. II, p. 144). For disobedience to this edict, many were indicted by the attorney-general, and were fined in the star-chamber (Idem, *ibid.*, p. 288). This occasioned discontents, and the sentences were complained of as illegal. But if proclamations had authority, of which nobody pretended to doubt, must they not be put in execution? In no instance, I must confess, does it more evidently appear, what confused and uncertain ideas were, during that age, entertained concerning the English constitution.

Ray having exported fullers-earth, contrary to the king's proclamation, was, besides the pillory, condemned in the Star-Chamber to a fine of 2000 pounds (Rushworth, vol. II, p. 348). Like fines were levied on Terry, Eman, and others, for disobeying a proclamation which forbade the exportation of gold (Idem, *ibid.*, p. 350). In order to account for the subsequent convulsions, even these incidents are not to be overlooked, as frivolous or contemptible. Such severities were afterwards magnified into the greatest enormities.

There remains a proclamation of this year, prohibiting hackney coaches from standing in the street (Idem, *ibid.*, p. 316). We are told that there were not above twenty coaches of that kind in London. There are at present [1756] near eight hundred.

The effects of ship-money began (A.D. 1636) now to appear. A formidable fleet of sixty sail, the greatest that England had ever known, was equipped under the Earl of Northumberland, who had orders to attack the herring-busses of the Dutch, which fished in what were called the British seas. The Dutch were content to pay 30,000/. for a licence during this year. They openly denied, however, the claim of dominion in the seas, beyond the friths, bays, and shores, and it may be questioned whether the laws of nations would warrant any further pretensions.

This year the king sent a squadron against Salée; and, with the

¹ Lord Lansdown, p. 515. This story is told differently in Hobart's Reports, p. 120. It there appears, that Markham was fined only 500/, and very deservedly, for he gave the lie and wrote a challenge to Lord Darcy. James was anxious to discourage the practice of duelling, which was then very prevalent.

assistance of the emperor of Morocco, destroyed that receptacle of pirates, by whom the English commerce and even the English coasts had long been infested.

Burton, a divine, and Bastwick, a physician, were tried in the star-chamber for seditious and schismatical libels, and were condemned to the same punishment that had been inflicted on Prynne. Prynne himself was tried for a new offence, and, together with another fine of 5000*l*, was condemned to lose what remained of his ears. Besides that these writers had attacked, with great severity, and even an intemperate zeal, the ceremonies, rites, and government of the Church, the very answers which they gave into the court, were so full of contumacy and of invectives against the prelates, that no lawyer could be prevailed on to sign them¹. The rigours, however, which they underwent, being so unworthy men of their profession, gave general offence, and the patience, or rather alacrity, with which they suffered, increased still farther the indignation of the public (*State Trials*, vol v, p 80). The severity of the star-chamber, which was generally ascribed to Laud's passionate disposition, was, perhaps, in itself, somewhat blameable, but will naturally, to us, appear enormous, who enjoy, in the utmost latitude, that liberty of the press which is esteemed so necessary in every monarchy, confined by strict legal limitations. But as these limitations were not regularly fixed during the age of Charles, nor at any time before, so was this liberty totally unknown, and was generally deemed, as well as religious toleration, incompatible with all good government. No age or nation, among the moderns, had ever set an example of such an indulgence. And it seems unreasonable to judge of the measures, embraced during one period, by the maxims which prevail in another.

Burton, in his book where he complained of innovations, mentioned among others, that a certain Wednesday had been appointed for a fast, and that the fast was ordered to be celebrated without any sermons (*Ibid.*, p. 74, *Franklyn*, p 839). The intention, as he pretended, of that novelty was, by the example of a fast without sermons, to suppress all the Wednesday's lectures in London. It is observable, that the church of Rome and that of England, being, both of them, lovers of form and ceremony and order, are more friends to prayer than preaching; while the puritanical sectaries, who find that the latter method of address, being directed to a numerous audience present and visible, is more inflaming and animating, have always regarded it as the chief part of divine service. Such circumstances, though minute, it may not be improper to transmit to posterity, and those who are curious of tracing the history of the human mind, may remark how far its several singularities coincide in different ages.

Certain zealots had erected themselves into a society for buying in of impropriations, and transferring them to the church, and great sums of money had been bequeathed to the society for these purposes. But it was soon observed, that the only use which they made of their funds, was, to establish lecturers in all the considerable churches; men who, without being subject to episcopal authority, employed themselves entirely in preaching and spreading the fire of puritanism. Laud took

¹ Rushworth, vol ii, pp 381, 382, etc., *State Trials*, vol 4, p 66.

care, by a decree which was passed in the court of exchequer, and which was much complained of, to abolish this society, and to stop their progress.¹ It was, however, still observed, that, throughout England, the lecturers were all of them punitanically affected, and and from them the clergymen, who contented themselves with reading prayers and homilies to the people, commonly received the reproachful appellation of 'dumb dogs.'

The puritans, restrained in England, shipped themselves off for America, and laid the foundations of a government, which possessed all the liberty, both civil and religious, of which they found themselves bereaved in their native country. But their enemies, unwilling that they should anywhere enjoy ease and contentment, and dreading, perhaps, the dangerous consequences of so disaffected a colony, prevailed on the king to issue a proclamation, debarring these devotees access even into those inhospitable deserts (Rush., vol. II., pp. 409, 418). Eight ships lying in the Thames, and ready to sail, were detained by order of council, and in these were embarked Sir Arthur Hazelrig, John Hampden, John Pym, and Oliver Cromwell,² who had resolved for ever to abandon their native country, and fly to the other extremity of the globe, where they might enjoy lectures and discourses of any length or form which pleased them. The king had afterwards full leisure to repent this exercise of his authority.

The Bishop of Norwich, by rigorously insisting on uniformity, had banished many industrious tradesmen from that city, and chased them into Holland (May, p. 82). The Dutch began to be more intent on commerce than on orthodoxy, and thought that the knowledge of useful arts, and obedience to the laws, formed a good citizen, though attended with errors in subjects where it is not allowable for human nature to expect any positive truth or certainty.

Complaints about this time were made, that the petition of right was, in some instances, violated, and that, upon a commitment by the king and council, bail or releasement had been refused to Jennings, Paigiter, and Danvers (Rush., vol. II., p. 414).

Williams, Bishop of Lincoln, a man of spirit and learning, a popular prelate, and who had been lord keeper, was fined 10,000*l.* by the star-chamber, committed to the Tower during the king's pleas, &c., and suspended from his office. This severe sentence was founded on frivolous pretences, and was more ascribed to Laud's vengeance, than to any guilt of the bishop (Rushworth, vol. II., p. 416, etc.). Laud, however, had owed his first promotion to the good offices of that prelate with King James. But so implacable was the haughty primate, that he raised up a new prosecution against Williams, on the strangest pretence imaginable. In order to levy the fine above mentioned, some officers had been sent to seize all the furniture and books of his episcopal

¹ Rushworth, vol. II., pp. 150, 151. Whitlocke, p. 15, History of the life and sufferings of Laud, pp. 211, 212.

² Mather's Hist. of New England, book I. Dugdale Dates Hutchinson's Hist. of Massachusetts Bay, vol. I., p. 42. This last quoted author puts the fact beyond controversy. And it is a curious fact, as well with regard to the characters of the men, as of the times. Can any one doubt, that the ensuing quarrel was almost entirely theological, not political? What might be expected of the populace, when such was the character of the most enlightened leaders?

palace of Lincoln, and in rummaging the house, they found in a corner some neglected letters, which had been thrown by as useless. These letters were written by one Osbaldistone, a schoolmaster, and were directed to Williams. Mention was there made of 'a little great man,' and in another passage, the same person was denominated 'a little uichin.' By inferences and constructions, these epithets were applied to Laud; and on no better foundation was Williams tried anew, as having received scandalous letters, and not discovering that private correspondence. For this offence, another fine of 8000*l* was levied on him. Osbaldistone was likewise brought to trial, and condemned to pay a fine of 5000*l*, and to have his ears nailed to the pillory before his own school. He saved himself by flight, and left a note in his study, wherein he said, 'That he was gone beyond Canterbury' (*Ibid*, p. 803, etc., Whitlocke, p. 25).

These prosecutions of Williams seem to have been the most iniquitous measure pursued by the court during the time that the use of parliaments was suspended. Williams had been indebted for all his fortune to the favour of James, but having quailed, first with Buckingham, then with Laud, he threw himself into the county party, and with great firmness and vigour opposed all the measures of the king. A creature of the court to become its obstinate enemy—a bishop to countenance puritans—these circumstances excited indignation, and (A.D. 1637) engaged the ministers in those severe measures. Not to mention, what some writers relate, that, before the sentence was pronounced against him, Williams was offered a pardon upon his submission, which he refused to make. The court was apt to think, that so refractory a spirit must by any expedient be broken and subdued.

In a former trial, which Williams underwent (*Rushworth*, vol. II, p. 416) (for these were not the first) there was mentioned, in court, a story, which, as it discovers the genius of parties, may be worth relating. Sir John Lambie urging him to prosecute the puritans, the prelate asked, what sort of people these same puritans were? Sir John replied, 'That to the world they seemed to be such as would not swear, whor, or be drunk, but they would lie, cozen, and deceive 'that they would frequently hear two sermons a day, and repeat them 'too, and that sometimes they would fast all day long.' This character must be conceived to be satirical; yet it may be allowed, that that sect was more adverse to such irregularities as proceed from the excess of gaiety and pleasure, than to those enormities which are the most destructive of society. The former were open to the very genius and spirit of their religion, the latter were only a transgression of its precepts—and it was not difficult for a gloomy enthusiast to convince himself that a strict observance of the one would atone for any violation of the other.

In 1632, the treasurer, Portland, had insisted with the vintners, that they should submit to a tax of a penny a quart upon all the wine which they retailed. But they rejected the demand. In order to punish them, a decree, suddenly, without much inquiry or examination, passed in the star-chamber, prohibiting them to sell or dress victuals in their houses (*Rush.*, vol. II, p. 197). Two years after, they were

questioned for the breach of this decree, and in order to avoid punishment, they agreed to lend the king six thousand pounds. Being threatened, during the subsequent years, with fines and prosecutions, they at last compounded the matter, and submitted to pay half of that duty which was at first demanded of them (Rush, *ibid*, p. 451). It required little foresight to perceive that the king's right of issuing proclamations must, if prosecuted, draw on a power of taxation.

Lilburne was accused before the star-chamber of publishing and dispersing seditious pamphlets. He was ordered to be examined; but refused to take the oath, usual in that court, that he would answer interrogatories, even though they might lead him to accuse himself. For this contempt, as it was interpreted, he was condemned to be whipped, pilloried, and imprisoned. While he was whipped at the cart, and stood on the pillory, he harangued the populace, and declaimed violently against the tyranny of bishops. From his pockets also he scattered pamphlets, said to be seditious, because they attacked the hierarchy. The star-chamber, which was sitting at that very time, ordered him immediately to be gagged. He ceased not, however, though both gagged and pilloried, to stamp with his foot and gesticulate, in order to show the people, that if he had it in his power, he would still harangue them. This behaviour gave fresh provocation to the star-chamber, and they condemned him to be imprisoned in a dungeon, and to be loaded with irons (*Ibid*, pp. 465, 466, 467). It was found difficult to break the spirits of men who placed both their honour and their conscience in suffering.

The jealousy of the church appeared in another instance less tragical. Archy, the king's fool, who, by his office, had the privilege of jesting on his master and the whole court, happened unluckily to try his wit upon Laud, who was too sacred a person to be played with. News having arrived from Scotland of the first commotions excited by the liturgy, Archy, seeing the primate pass by, called to him, 'Who's fool, now, my lord?' For this offence, Archy was ordered, by sentence of the council, to have his coat pulled over his head, and to be dismissed the king's service (Rush, vol. II, p. 470, Welwood, p. 278).

Here is another instance of the rigorous subjection in which all men were held by Laud. Some young gentlemen of Lincoln's-inn, heated by their cups, having drunk confusion to the archbishop, were at his instigation cited before the star-chamber. They applied to the Earl of Dorset for protection. 'Who bears witness against you?' said Dorset. 'One of the drawers,' they said. 'Where did he stand, when you were supposed to drink this health?' subjoined the earl. 'He was at the door,' they replied, 'going out of the room.' 'Tush!' cried he, 'the drawer was mistaken: you drank confusion to the Archbishop of Canterbury's enemies; and the fellow was gone before you pronounced the last word.' This hint supplied the young gentlemen with a new method of defence: and being advised by Dorset to behave with great humility and great submission to the primate, the modesty of their carriage, the ingenuity of their apology, with the patronage of that noble lord, saved them from any severe punishment than a reproof and admonition, with which they were dismissed (Rushworth, vol. III. p. 180).

This year, John Hampden acquired, by his spirit and courage, universal popularity throughout the nation, and has merited great renown with posterity, for the bold stand which he made in defence of the laws and liberties of his country. After the imposing of ship-money, Charles, in order to discourage all opposition, had proposed this question to the judges 'Whether, in a case of necessity, for the defence of the kingdom, he might not impose this taxation, and whether he were not sole judge of the necessity?' These guardians of law and liberty replied, with great complaisance, 'That in a case of necessity he might impose that taxation, and that he was sole judge of the necessity' (Rush, vol. iii, p. 355; Whitlocke, p. 24). Hampden had been rated at twenty shillings for an estate which he possessed in the county of Buckingham, yet, notwithstanding this declared opinion of the judges, notwithstanding the great power, and sometimes rigorous maxims of the crown, notwithstanding the small relief from parliament, he resolved, rather than tamely submit to so illegal an imposition, to stand a legal prosecution, and expose himself to all the indignation of the court. The case was argued during twelve days, in the exchequer chamber, before all the judges of England, and the nation regarded with the utmost anxiety, every circumstance of this celebrated trial. The event was easily foreseen; but the principles and reasonings and behaviour of the parties engaged in the trial were much canvassed and inquired into, and nothing could equal the favour paid to the one side, except the hatred which attended the other.

It was urged by Hampden's counsel, and by his partisans in the nation, that the plea of necessity was in vain introduced into a trial of law, since it was the nature of necessity to abolish all law, and, by irresistible violence, to dissolve all the weaker and more artificial ties of human society. Not only the prince, in cases of extreme distress, is exempted from the ordinary rules of administration: all orders of men are then levelled, and any individual may consult the public safety by any expedient which his situation enables him to employ. But to produce so violent an effect, and so hazardous to every community, an ordinary danger or difficulty is not sufficient, much less a necessity which is merely fictitious and pretended. Where the peril is urgent and extreme, it will be palpable to every member of the society, and though all ancient rules of government are in that case abrogated, men will readily, of themselves, submit to that irregular authority, which is exerted for their preservation. But what is there in common between such suppositions and the present condition of the nation? England enjoys a profound peace with all her neighbours, and what is more, all her neighbours are engaged in furious and bloody wars among themselves, and by their mutual enmities farther ensure her tranquillity. The very writs themselves, which are issued for the levying of ship-money, contradict the supposition of necessity, and pretend only that the seas are infested with pirates; a slight and temporary inconvenience, which may well await a legal supply from parliament. The writs likewise allow several months for equipping the ships, which proves a very calm and deliberate species of necessity, and one that admits of delay much beyond the forty days requisite for

summoning that assembly It is strange, too, that an extreme necessity, which is always apparent, and usually comes to a sudden crisis, should have continued, without interruption, for near four years, and should have remained, during so long a time, invisible to the whole kingdom And as to the pretension that the king is sole judge of the necessity,—what is this but to subject all the privileges of the nation to his arbitrary will and pleasure? To expect that the public will be convinced by such reasoning, must aggravate the general indignation, by adding to violence against men's persons and their property so cruel a mockery of their understanding

In vain are precedents of ancient writs produced these writs, when examined, are only found to require the sea-ports, sometimes at their own charge, sometimes at the charge of the counties, to send their ships for the defence of the nation Even the prerogative which empowered the crown to issue such writs is abolished, and its exercise almost entirely discontinued, from the time of Ed. III (*State Trials*, vol. v., pp. 245, 255); and all the authority which remained, or was afterwards exercised, was to press things into the public service, to be paid for by the public How wide are these precedents from a power of obliging the people, at their own charge, to build new ships, to victual and pay them, for the public, nay, to furnish money to the crown for that purpose? What security either against the farther extension of this claim, or against diverting to other purposes the public money so levied? The plea of necessity would warrant any other taxation as well as that of ship-money, wherever any difficulty shall occur, the administration, instead of endeavouring to elude or overcome it by gentle and prudent measures, will instantly represent it as a reason for infringing all ancient laws and institutions; and if such practices prevail, what has become of national liberty? What authority is left to the great charter, to the statutes, and to that very petition of right, which, in the present reign, had been so solemnly enacted by the concurrence of the whole legislature?

The defenceless condition of the kingdom while unprovided with a navy, the inability of the king, from his established revenues, with the utmost care and frugality, to equip and maintain one; the impossibility of obtaining on reasonable terms any voluntary supply from parliament, all these are reasons of state, not topics of law. If these reasons appear to the king so urgent as to dispense with the legal rules of government, let him enforce his edicts by his court of star-chamber, the proper instrument of irregular and absolute power, not prostitute the character of his judges by a decree which is not, and cannot possibly be, legal. By this means the boundaries, at least, will be kept more distinct between ordinary law and extraordinary exertions of prerogative, and men will know that the national constitution is only suspended during a present and difficult emergence, but has not undergone a total and fundamental alteration

Notwithstanding these reasons, the prejudiced judges, four¹ excepted, gave sentence in favour of the crown Hampden, however, obtained by the trial the end for which he had so generously sacrificed his

¹ *State Trials* article ship-money, which contains the speeches of four judges in favour of Hampden

safety and his quiet, the people were roused from their lethargy, and became sensible of the danger to which their liberties were exposed. These national questions were canvassed in every company, and the more they were examined, the more evidently did it appear to many, that liberty was totally subverted, and an unusual and arbitrary authority exercised over the kingdom. Slavish principles, they said, concur with illegal practices, ecclesiastical tyranny gives aid to civil usurpation, iniquitous taxes are supported by arbitrary punishments, and all the privileges of the nation, transmitted through so many ages, secured by so many laws, and purchased by the blood of so many heroes and patriots, now lie prostrate at the feet of the monarch. What though public peace and national industry increased the commerce and opulence of the kingdom? This advantage was temporary, and due alone, not to any encouragement given by the crown, but to the spirit of the English, the remains of their ancient freedom. What though the personal character of the king, amidst all his misguided counsels, might merit indulgence or even praise? He was but one man, and the privileges of the people, the inheritance of millions, were too valuable to be sacrificed to his prejudices and mistakes. Such, or more severe, were the sentiments promoted by a great party in the nation, no excuse on the king's part, or alleviation, how reasonable soever, could be hearkened to or admitted, and to redress these grievances, a parliament was impatiently longed for, or any other incident, however calamitous, that might secure the people against those oppressions which they felt, or the greater ills which they apprehended, from the combined encroachments of church and state.

CHAPTER LIII.

Discontents in Scotland.—Introduction of the canons and liturgy—A tumult at Edinburgh—The covenant—A general assembly—Episcopacy abolished—War—A pacification—Renewal of the war—Fourth English parliament—Discontents in England—Rout at Newburn—Treaty at Ripon—Great council of the peers

THE grievances under which the English laboured, when considered in themselves, without regard to the constitution, scarcely deserve the name; nor were they either burdensome on the people's properties, or anywise shocking to the natural humanity of mankind. Even the imposition of ship-money, independent of the consequences, was a great and evident advantage to the public, by the judicious use which the king made of the money levied by that expedient. And though it was justly apprehended that such precedents, if patiently submitted to, would end in a total disuse of parliaments, and in the establishment of arbitrary authority, Charles dreaded no opposition from the people, who are not commonly much affected with consequences, and require some striking motive to engage them in a resistance of established government. All ecclesiastical affairs were settled by law and uninterrupted precedent, and the church was become a considerable

banner to the power, both legal and illegal, of the crown. Peace, too, industry, commerce, opulence, nay, even justice and lenity of administration, notwithstanding some very few exceptions—all these were enjoyed by the people, and every other blessing of government, except liberty, or rather the present exercise of liberty, and its proper security.¹ It seemed probable, therefore, that affairs might long have continued on the same footing in England, had it not been for the neighbourhood of Scotland, a country more turbulent, and less disposed to submission and obedience. It was thence the commotions first arose, and it is therefore time for us to return thither, and to give an account of the state of affairs in that kingdom.

Though the pacific, and not unskilful government of James, and the great authority which he had acquired, had much allayed the feuds among the great families, and had established law and order throughout the kingdom, the Scottish nobility were still possessed of the chief power and influence over the people. Their property was extensive, their hereditary jurisdictions and the feudal tenures increased their authority, and the attachment of the gentry to the heads of families established a kind of voluntary servitude under the chieftains. Besides that long absence had much loosened the king's connection with the nobility, who resided chiefly at their country seats, they were in general, at this time, though from slight causes, much disgusted with the court. Charles, from the natural piety or superstition of his temper, was extremely attached to the ecclesiastics, and as it is natural for men to persuade themselves that their interest coincides with their inclination, he had established it as a fixed maxim of policy to increase the power and authority of that order. The prelates, he thought, established regularity and discipline among the clergy, the clergy inculcated obedience and loyalty among the people, and as that rank of men had no separate authority, and no dependence but on the crown, the royal power, it would seem, might with greater safety be entrusted in their hands. Many of the prelates, therefore, were raised to the chief dignities of the State (Rushworth, vol. II, p. 386; May, p. 29). Spotswood, Archbishop of St. Andrews, was created chancellor, nine of the bishops were privy councillors, the Bishop of Ross aspired to the office of treasurer, some of the prelates possessed places in the exchequer, and it was even endeavoured to revive the first institution of the college of justice, and to share equally between the clergy and laity the whole judicial authority (Guthry's Mem, p. 14; Burnet's Mem, pp. 29, 30). These advantages possessed by the church, and which the bishops did not always enjoy with suitable modesty, disgusted the haughty nobility, who, deeming themselves much superior in rank and quality to this new order of men, were displeased to find themselves inferior in power and influence. Interest joined itself to ambition, and begat a jealousy lest the episcopal sees, which at the reformation had been pillaged by the nobles, should again be enriched at the expense of that order. By a most useful and beneficial law, the impropriations had already been ravished from the great men, competent salaries had been assigned to the impoverished clergy from the tithes of each parish; and what remained, the proprietor of the land was empowered

¹ Clarendon, pp. 74, 75, May, p. 18, Warwick, p. 62.

to purchase at a low valuation (King's declaration, p. 7, Franklyn, p. 611) The king, likewise, warranted by ancient law and practice, had declared for a general resumption of all crown lands alienated by his predecessors, and though he took no step towards the execution of this project, the very pretension to such power had excited jealousy and discontent (King's declaration, p. 6)

Notwithstanding the tender regard which Charles bore to the whole church, he had been able, in Scotland, to acquire only the affection of the superior rank among the clergy. The ministers in general equalled, if not exceeded the nobility in their prejudices against the court, against the prelates, and against episcopal authority (Burnet's Mem., pp. 29, 30). Though the establishment of the hierarchy might seem advantageous to the inferior clergy, both as it erected dignities, to which all of them might aspire, and as it bestowed a lustre on the whole body, and allured men of family into it, these views had no influence on the Scottish ecclesiastics. In the present disposition of men's minds, there was another circumstance, which drew consideration, and counterbalanced power and riches, the usual foundations of distinction among men, and that was the fervour of piety, and the rhetoric, however barbarous, of religious lectures and discourses. Checked by the prelates in the licence of preaching, the clergy regarded episcopal jurisdiction both as a tyranny and a usurpation, and maintained a parity among ecclesiastics to be a divine privilege, which no human law could alter or infringe. While such ideas prevailed, the most moderate exercise of authority would have given disgust, much more, that extensive power which the king's indulgence encouraged the prelates to assume. The jurisdiction of presbyteries, synods, and other democratical courts, was, in a manner, abolished by the bishops, and the general assembly itself had not been summoned for several years (May, p. 29). A new oath was arbitrarily imposed on entrants, by which they swore to observe the articles of Perth, and submit to the liturgy and canons. And, in a word, the whole system of church government, during a course of thirty years, had been changed by means of the innovations introduced by James and Charles.

The people, under the influence of the nobility and clergy, could not fail to partake of the discontents which prevailed among these two orders, and where real grounds of complaint were wanting, they greedily laid hold of imaginary ones. The same horror against popery with which the English puritans were possessed, was observable among the populace in Scotland, and among these, as being more uncultivated and uncivilized, seemed rather to be inflamed into a higher degree of ferocity. The genius of religion which prevailed in the court and among the prelates was of an opposite nature, and having some affinity to the Romish worship, led them to mollify, as much as possible, the severe prejudices, and to speak of the catholics in more charitable language, and with more reconciling expressions. From this foundation, a panic fear of popery was easily raised, and every new ceremony or ornament introduced into divine service, was part of that great mystery of iniquity, which, from the encouragement of the king and the bishops, was to overspread the nation (Burnet's Mem., pp. 29, 30, 31). The few innovations which James had made were

considered as preparatives to this grand design, and the farther alterations attempted by Charles were represented as a plain declaration of his intentions. Though the whole course of this reign, nothing had more fatal influence, in both kingdoms, than this groundless apprehension, which with so much industry was propagated, and with so much credulity was embraced, by all ranks of men.

Amidst these dangerous complaints and terrors of religious innovation, the civil and ecclesiastical liberties of the nation were imagined, and with some reason, not to be altogether free from invasion.

The establishment of the high-commission by James, without any authority of law, seemed a considerable encroachment to the crown; and erected the most dangerous and arbitrary of all courts, by a method equally dangerous and arbitrary. All the steps towards the settlement of episcopacy had indeed been taken with consent of parliament, the articles of Perth were confirmed in 1621, in 1633, the king had obtained a general ratification of every ecclesiastical establishment; but these laws had less authority with the nation, as they were known to have passed contrary to the sentiments even of those who voted for them, and were in reality extorted by the authority and importunity of the sovereign. The means, however, which both James and Charles had employed, in order to influence the parliament, were entirely regular, and no reasonable pretence had been afforded for representing these laws as null or invalid.

But there prevailed among the greater part of the nation another principle, of the most important and most dangerous nature, and which, if admitted, destroyed entirely the validity of all such statutes. The ecclesiastical authority was supposed totally independent of the civil, and no act of parliament—nothing but the consent of the Church itself—was represented as sufficient ground for the introduction of any change in religious worship or discipline. And though James had obtained the vote of assemblies for receiving episcopacy and his new rites, it must be confessed that such irregularities had prevailed in constituting these ecclesiastical courts, and such violence in conducting them, that there were some grounds for denying the authority of all their acts. Charles, sensible that an extorted consent, attended with such invidious circumstances, would rather be prejudicial to his measures, had wholly laid aside the use of assemblies, and was resolved, in conjunction with the bishops, to govern the Church by an authority to which he thought himself fully entitled, and which he believed inherent in the crown.

The king's great aim was to complete the work so happily begun by his father; to establish discipline upon a regular system of canons, to introduce a liturgy into public worship, and to render the ecclesiastical government of all his kingdoms regular and uniform. Some views of policy might move him to this undertaking, but his chief motives were derived from principles of zeal and conscience.

The canons for establishing ecclesiastical jurisdiction were promulgated in 1635 and were received by the nation, though without much appearing opposition, yet with great inward apprehension and discontent. Men felt displeasure at seeing the royal authority highly exalted by them, and represented as absolute and uncontrollable. They

saw these speculative principles reduced to practice, and a whole body of ecclesiastical laws established without any previous consent either of Church or State (Clarendon, vol. 1, p. 106). They dreaded lest, by a party of reason, like arbitrary authority, from like pretences and principles, would be assumed in civil matters they remarked, that the delicate boundaries which separate Church and State were already passed, and many civil ordinances established by the canons, under colour of ecclesiastical institutions, and they were apt to deride the negligence with which these important edicts had been compiled, when they found, that the new liturgy or service book was everywhere under severe penalties enjoined by them, though it had not yet been composed or published (Idem, *ibid.*, p. 105). It was, however, soon expected, and in the reception of it, as the people are always most affected by what is external and exposed to the senses, it was apprehended that the chief difficulty would consist

The liturgy which the king, from his own authority, imposed on Scotland, was copied from that of England, but lest a servile imitation might shock the pride of his ancient kingdom, a few alterations, in order to save appearances, were made in it, and in that shape it was transmitted to the bishops at Edinburgh (King's Decl, p. 18; May, p. 32). But the Scots had universally entertained a notion that, though riches and worldly glory had been shared out to them with a sparing hand, they could boast of spiritual treasures more abundant and more genuine than were enjoyed by any nation under heaven. Even their southern neighbours, they thought, though separated from Rome, still retained a great tincture of the primitive pollution, and their liturgy was represented as a species of mass, though with some less show and embroidery (King's Decl, p. 20). Great prejudices, therefore, were entertained against it, even considered in itself, much more when regarded as a preparative, which was soon to introduce into Scotland all the abominations of popery. And as the very few alterations which distinguished the new liturgy from the English, seemed to approach nearer the doctrine of the real presence, this circumstance was deemed an undoubted confirmation of every suspicion with which the people were possessed.¹

Easter Day was, by proclamation, appointed for the first reading of the service in Edinburgh, but in order to judge more surely of men's dispositions, the council delayed the matter till the 23rd of July, and they even gave notice, the Sunday before, of their intention to commence the use of the new liturgy. As no considerable symptoms of discontent appeared, they thought that they might safely proceed in their purpose,² and accordingly, in the cathedral church of St. Giles, the Dean of Edinburgh, arrayed in his surplice, began the service, the bishop himself and many of the privy-council being present. But no sooner had the dean opened the book, than a multitude of the meanest sort, most of them women, clapping their hands, cursing, and crying out, 'A pope! a pope! antichrist! stone him!' raised such a tumult that it was impossible to proceed with the service. The bishop, mounting the pulpit, in order to appease the population, had a

¹ Burnet's Mem., p. 31; Rushworth, vol. II, p. 396, May, p. 31.

² King's Decl., p. 22, Clarendon, vol. I, p. 108, Rushworth, vol. II, p. 187.

stool thrown at him; the council was insulted, and it was with difficulty that the magistrates were able, partly by authority, partly by force, to expel the rabble, and to shut the doors against them. The tumult, however, still continued without stones were thrown at the doors and windows, and when the service was ended, the bishop, going home, was attacked, and narrowly escaped from the hands of the enraged multitude. In the afternoon, the privy-seal, because he carried the bishop in his coach, was so pelted with stones, and hooted at with execrations, and pressed upon by the eager populace, that, if his servants, with drawn swords, had not kept them off, the bishop's life had been exposed to the utmost danger (King's Decl., pp. 23, 24, 25; Rushworth, vol. 11, p. 388).

Though it was violently suspected that the low populace, which alone appeared, had been instigated by some of higher condition, yet no proof of it could be produced, and every one spake with disapprobation of the licentiousness of the giddy multitude (King's Decl., pp. 26, 30, Clarendon, vol. 1, pp. 109). It was not thought safe, however, to hazard a new insult by any new attempt to read the liturgy, and the people seemed, for the time, to be appeased and satisfied. But it being known that the king still persevered in his intentions of imposing that mode of worship, men fortified themselves still farther in their prejudices against it, and great multitudes resorted to Edinburgh, in order to oppose the introduction of so hated a novelty (King's Decl., p. 32, Rushworth, vol. 11, p. 400). It was not long before they broke out in the utmost violent disorder. The Bishop of Gallo-way was (Oct. 18) attacked in the streets, and chased into the chamber where the privy-council was sitting. The council itself was besieged and violently attacked. The town-council met with the same fate, and nothing could have saved the lives of all of them, but their application to some popular lords, who protected them, and dispersed the multitude. In this sedition, the actors were of some better condition than in the former, though nobody of rank seemed, as yet, to countenance them (King's Declaration, pp. 35, 36, etc., Rushworth, vol. 11, p. 404).

All men, however, began to unite, and to encourage each other, in opposition to the religious innovations introduced into the kingdom. Petitions to the council were signed by persons of the highest quality, the women took part, and, as was usual, with violence, the clergy, everywhere loudly declaimed against popery and the liturgy, which they represented as the same, the pulpits resounded with vehement invectives against antichrist, and the populace who first opposed the service, was often compared to Balaam's ass, an animal in itself stupid and senseless, but whose mouth had been opened by the Lord, to the admiration of the whole world (King's Decl., p. 31). In short, fanaticism mingling with faction, private interest with the spirit of liberty, symptoms appeared, on all hands, of the most dangerous insurrection and disorder.

The primate, a man of wisdom and prudence, who was all along averse to the introduction of the liturgy, represented to the king the state of the nation. The Earl of Traquair, the treasurer, set out for London, in order to lay the matter more fully before him. Every cir-

cumstance, whether the condition of England or of Scotland were considered, should have engaged him to desist; from so hazardous an attempt, yet was Charles inflexible. In his whole conduct of this affair, there appear no marks of the good sense with which he was endowed, a lively instance of that species of character, so frequently to be met with, where there are found parts and judgment in every discourse and opinion, in many actions, indiscretion and imprudence. Men's views of things are the result of their understanding alone; their conduct is regulated by their understanding, their temper, and their passions.

To so violent a combination of a whole kingdom Charles had (A D 1638, Feb. 19) nothing to oppose but a proclamation, in which he pardoned all past offences, and exhorted the people to be more obedient for the future, and to submit peaceably to the use of the liturgy. This proclamation was instantly encountered with a public protestation, presented by the Earl of Hume and Lord Lindesey, and this was the first time that men of quality had appeared in any violent act of opposition.¹ But this proved a crisis. The insurrection, which had been advancing by a gradual and slow process, now blazed up at once. No disorder, however, attended it. On the contrary, a new order immediately took place. Four 'tables,' as they were called, were formed in Edinburgh. One consisted of nobility, another of gentry, a third of ministers, a fourth of burgesses. The table of gentry was divided into many subordinate tables, according to their different counties. In the hands of the four tables the whole authority of the kingdom was placed. Orders were issued by them, and everywhere obeyed with the utmost regularity.² And among the first acts of their government was the production of the COVENANT.

This famous covenant consisted first of a renunciation of popery, formerly signed by James in his youth, and composed of many invectives, fitted to inflame the minds of men against their fellow-creatures, whom Heaven has enjoined them to cherish and to love. There followed a bond of union, by which the subscribers obliged themselves to resist religious innovations, and to defend each other against all opposition whatsoever, and all this, for the greater glory of God, and the greater honour and advantage of their king and country.³ The people, without distinction of rank or condition, of age or sex, flocked to the subscription of this covenant, few, in their judgment, disapproved of it, and still fewer durst openly condemn it. The king's ministers and counsellors themselves were, most of them, seized by the general contagion. And none but rebels to God and traitors to their country, it was thought, would withdraw themselves from so salutary and so pious a combination.

The treacherous, the cruel, the unrelenting Philip, accompanied with all the terrors of a Spanish inquisition, was scarcely, during the preceding century, opposed in the Low Countries with more determined fury, than was now, by the Scots, the mild, the humane Charles, attended with his inoffensive liturgy.

¹ King's Decl., pp. 47, 48, etc.; Guthry, p. 28, May, p. 37.

² Clarendon, vol. i., p. xxx.; Rushworth, vol. ii., p. 734.

³ King's Decl., pp. 57, 58. Rushworth, vol. ii., p. 734, May, p. 38.

The king began (June) to apprehend the consequences. He sent the Marquis of Hamilton, as commissioner, with authority to treat with the covenanters. He required the covenant to be renounced and recalled; and he thought that, on his part, he had made very satisfactory concessions, when he offered to suspend the canons and the liturgy, till, in a fair and legal way, they could be received, and so to model the high commission that it should no longer give offence to his subjects (Rushworth, vol. II, p. 754, etc.). Such general declarations could not well give content to any, much less to those who carried so much higher their pretensions. The covenanters found themselves seconded by the zeal of the whole nation. Above sixty thousand people were assembled in a tumultuous manner in Edinburgh and the neighbourhood. Charles possessed no regular forces in either of his kingdoms. And the discontents in England, though secret, were believed so violent, that the king, it was thought, would find it very difficult to employ in such a cause the power of that kingdom. The more, therefore, the popular leaders in Scotland considered their situation, the less apprehension did they entertain of royal power, and the more rigorously did they insist on entire satisfaction. In answer to Hamilton's demand of renouncing the covenant, they plainly told him that they would sooner renounce their baptism (King's Decl., p. 87). And the clergy invited the commissioner himself to subscribe it, by informing him, 'With what peace and comfort it hath filled the hearts of all God's people; what resolutions and beginnings of reformation of manners were sensibly perceived in all parts of the nation, above any measure they had ever before found or could have expected, how great glory the Lord had received thereby, and what confidence they had that God would make Scotland a blessed kingdom' (King's Decl., p. 88; Rushworth, vol. II, p. 751).

Hamilton returned to London, made another fruitless journey, with new concessions, to Edinburgh; returned again to London, and was immediately sent back with still more satisfactory concessions. The king was, now willing entirely to abolish the canons, the liturgy, and the high-commission court. He was even resolved to limit extremely the power of the bishops, and was content if, on any terms, he could retain that order in the Church of Scotland (King's Decl., p. 137, Rushworth, vol. II, p. 762). And to ensure all these gracious offers, he gave Hamilton authority to summon (Sept. 27) first an assembly, then a parliament, where every national grievance might be redressed and remedied. These successive concessions of the king, which yet came still short of the rising demands of the malcontents, discovered his own weakness, encouraged their insolence, and gave no satisfaction. The offer, however, of an assembly and a parliament, in which they expected to be entirely masters, was willingly embraced by the covenanters.

Charles, perceiving what advantage his enemies had reaped from their covenant, resolved to have a covenant on his side, and he ordered one to be drawn up for that purpose. It consisted of the same violent renunciation of popery above mentioned, which, though the king did not approve of it, he thought it safest to adopt, in order to remove all the suspicions entertained against him. As the covenanters,

in their bond of mutual defence against all opposition, had been careful not to except the king, Charles had formed a bond, which was annexed to this renunciation, and which expressed the duty and loyalty of the subscribers to his majesty (King's Decl, p. 140, etc.) But the covenanters, perceiving that this new covenant was only meant to weaken and divide them, received it with the utmost scorn and detestation. And without delay they proceeded to model the future assembly, from which such great achievements were expected (Rushworth, vol. II, p. 772).

The genius of that religion which prevailed in Scotland, and which every day was secretly gaining ground in England, was far from inculcating deference and submission to the ecclesiastics, merely as such, or rather, by nourishing in every individual the highest raptures and ecstasies of devotion, it consecrated, in a manner, every individual, and in his own eyes bestowed a character on him much superior to what forms and ceremonious institutions could alone confer. The clergy of Scotland, though such tumult was excited about religious worship and discipline, were both poor and in small numbers, nor are they, in general, to be considered, at least in the beginning, as the ringleaders of the sedition which was raised on their account. On the contrary, the laity, apprehending, from several instances which occurred, a spirit of moderation in that order, resolved to domineer entirely in the assembly which was summoned, and to hurry on the ecclesiastics by the same furious zeal with which they were themselves transported (King's Decl, pp. 188, 189, Rushworth, vol. II, p. 761).

It had been usual, before the establishment of prelacy, for each presbytery to send to the assembly, besides two or three ministers, one lay-commissioner,¹ and, as all the boroughs and universities sent likewise commissioners, the lay-members in that ecclesiastical court nearly equalled the ecclesiastics. Not only this institution, which James, apprehensive of zeal in the laity, had abolished, was now revived by the covenanters, they also introduced an innovation, which served still further to reduce the clergy to subjection. By an edict of the tables, whose authority was supreme, an elder from each parish was ordered to attend the presbytery, and to give his vote in the choice both of the commissioners and ministers who should be deputed to the assembly. As it is not usual for the ministers who are put in the list of candidates to claim a vote, all the elections, by that means, fell into the hands of the laity, the most furious of all ranks were chosen, and the more to overawe the clergy, a new device was fallen upon, of choosing to every commissioner four or five lay-assessors, who, though they could have no vote, might yet interpose with their advice and authority in the assembly.²

The assembly met at Glasgow, and, besides a great concourse of the people, all the nobility and gentry of any family or interest were present, either as members, assessors, or spectators; and it was apparent that the resolutions taken by the covenanters could here meet

¹ A presbytery in Scotland is an inferior ecclesiastical court, the same that was afterwards called a 'Classis' in England, and is composed of the clergy of the neighbouring parishes, to the number commonly of between twelve and twenty.

² King's Decl, pp. 190, 191, 290, Guthry, p. 39, etc.

with no manner of opposition. A firm determination had been entered into, of utterly abolishing episcopacy, and as a preparative to it, there was laid before the presbytery of Edinburgh, and solemnly read in all the churches of the kingdom, an accusation against the bishops, as guilty, all of them, of heresy, simony, bribery, perjury, cheating, incest, adultery, fornication, common swearing, drunkenness, gaming, breach of the sabbath, and every other crime that had occurred to the accusers.¹ The bishops sent a protest, declining the authority of the assembly, the commissioners, too, protested against that court, as illegally constituted and elected, and, in his majesty's name, dissolved it. This measure was foreseen, and little regarded. The court still continued to sit and to finish their business (May, p. 44). All the acts of assembly since the accession of James to the crown of England were, upon pretty reasonable grounds, declared null and invalid. The acts of parliament which affected ecclesiastical affairs were supposed, on that very account, to have no manner of authority. And thus episcopacy, the high commission, the articles of Perth, the canons, and the liturgy, were abolished and declared unlawful, and the whole fabric which James and Charles, in a long course of years, had been rearing with so much care and policy, fell at once to the ground. The covenant likewise was (A.D. 1639) ordered to be signed by every one, under pain of excommunication (King's Decl., p. 317).

The independency of the ecclesiastical upon the civil power was the old presbyterian principle which had been zealously adopted at the reformation, and which, though James and Charles had obliged the church publicly to disclaim it, had secretly been adhered to by all ranks of people. It was commonly asked, whether Christ or the king were superior? And as the answer seemed obvious, it was inferred that the assembly, being Christ's council, was superior, in all spiritual matters, to the parliament, which was only the king's. But as the covenanters were sensible that this consequence, though it seemed to them irrefragable, would not be assented to by the king, it became necessary to maintain their religious tenets by military force, and not to trust entirely to supernatural assistance, of which, however, they held themselves well assured. They cast their eyes on all sides, abroad and at home, whence ever they could expect any aid or support.

After France and Holland had entered into a league against Spain, and framed a treaty of partition, by which they were to conquer and to divide between them the Low Country provinces, England was invited to preserve a neutrality between the contending parties, while the French and Dutch should attack the maritime towns of Flanders. But the king replied to D'Estrades, the French ambassador, who opened the proposal, that he had a squadron ready, and would cross the seas, if necessary, with an army of 15,000 men, in order to prevent these projected conquests (Mem. D'Estrades, vol. 1). This answer, which proves that Charles, though he expressed his mind with an imprudent candour, had, at last, acquired a just idea of national interest, irritated Cardinal Richelieu, and in revenge, that politic and enterprising minister carefully fomented the first commotions in Scotland, and secretly supplied the covenanters with money and arms in order to encourage them in their opposition against their sovereign.

¹ King's Decl., p. 218, Rushworth, vol. II., p. 787.

But the chief resource of the Scottish malcontents was in themselves, and in their own vigour and abilities. No regular established commonwealth could take juster measures, or execute them with greater promptitude, than did this tumultuous combination, inflamed with bigotry for religious trifles, and faction without a reasonable object. The whole kingdom was, in a manner, engaged, and the men of greatest abilities soon acquired the ascendant, which their family interest enabled them to maintain. The Earl of Argyle, though he long seemed to temporize, had, at last, embraced the covenant, and he became the chief leader of that party, a man equally supple and inflexible, cautious and determined, and entirely qualified to make a figure during a factious and turbulent period. The Earls of Rothes, Cassilis, Montrose, Lothian, the Lords Lindesay, Loudon, Yester, Balmerino, distinguished themselves in that party. Many Scotch officers had acquired reputation in the German wars, particularly under Gustavus, and these were invited over to assist their country in her present necessity. The command was entrusted to Lesley, a soldier of experience and abilities. Forces were regularly enlisted and disciplined. Arms were commissioned and imported from foreign countries. A few castles which belonged to the king, being unprovided with victuals, ammunition, and garrisons, were soon seized. And the whole country, except a small part, where the Marquis of Huntley still adhered to the king, being in the hands of the covenanters, was, in a very little time, put in a tolerable posture of defence (May, p. 49).

The fortifications of Leith were begun and carried on with great rapidity. Besides the inferior sort, and those who laboured for pay, incredible numbers of volunteers, even noblemen and gentlemen, put their hand to the work, and deemed the most abject employment to be dignified by the sanctity of the cause. Women, too, of rank and condition, forgetting the delicacy of their sex, and the decorum of their character, were intermingled with the lowest rabble, and carried on their shoulders the rubbish requisite for completing the fortifications (Guthry's Memoirs, p. 46).

We must not omit another auxiliary of the covenanters, and no inconsiderable one, a prophetess, who was much followed by all ranks of people. Her name was Michelson, a woman full of whimsies, partly hysterical, partly religious, and inflamed with a zealous concern for the ecclesiastical discipline of the presbyterians. She spoke at certain times only, and had often interruptions of days and weeks, but when she began to renew her ecstasies, warning of the happy event was conveyed over the whole country, thousands crowded about her house, and every word which she uttered was received with veneration, as the most sacred oracles. The covenant was her perpetual theme. The true, genuine covenant, she said, was ratified in heaven, the king's covenant was an invention of Satan, when she spoke of Christ, she usually gave Him the name of covenanting Jesus. Rollo, a popular preacher, and zealous covenanter, was her great favourite; and paid her, on his part, no less veneration. Being desired by the spectators to pray with her, and speak to her, he answered, 'That he durst not, and that it would be ill manners in him

'to speak, while his master, Christ, was speaking in her' (King's Decl. p. 227; Burnet's Mem. of Hamilton)

Charles had agreed to reduce episcopal authority so much that it would no longer have been of any service to support the crown, and this sacrifice of his own interests he was willing to make, in order to attain public peace and tranquillity. But he could not consent entirely to abolish an order which he thought as essential to the being of a Christian church, as his Scottish subjects deemed it incompatible with that sacred institution. This narrowness of mind, if we would be impartial, we must either blame or excuse equally on both sides; and thereby anticipate, by a little reflection, that judgment which time, by introducing new subjects of controversy, will undoubtedly render quite familiar to posterity.

So great was Charles's aversion to violent and sanguinary measures, and so strong his affection to his native kingdom, that it is probable the contest in his breast would be nearly equal between these laudable passions and his attachment to the hierarchy. The latter affection, however, prevailed for the time, and made him hasten those military preparations which he had projected for subduing the refractory spirit of the Scottish nation. By regular economy, he had not only paid all the debts contracted during the Spanish and French wars, but had amassed a sum of 200,000*l.*, which he reserved for any sudden exigency. The queen had great interest with the catholics, both from the sympathy of religion, and from the favours and indulgences which she had been able to procure to them. She now employed her credit, and persuaded them that it was reasonable to give large contributions, as a mark of their duty to the king, during this urgent necessity (Rush, vol. iii, p. 1329, Franklyn, p. 767). A considerable supply was obtained by this means, to the great scandal of the puritans, who were offended at seeing the king on such good terms with the papists, and repined that others should give what they themselves were disposed to refuse him.

Charles's fleet was formidable and well supplied. Having put 5000 land forces on board, he entrusted it to the Marquis of Hamilton, who had orders to sail to the Frith of Forth, and to cause a division in the forces of the malcontents. An army was levied of near 20,000 foot, and above 3000 horse, and was put under command of the Earl of Arundel, a nobleman of great family, but celebrated neither for military nor political abilities. The Earl of Essex, a man of strict honour, and extremely popular, especially among the soldiery, was appointed lieutenant-general, the Earl of Holland was general of the horse. The king himself joined the army, and he (May 29) summoned all the peers of England to attend him. The whole had the appearance of a splendid court, rather than of a military armament, and in this situation, carrying more show than real force with it, the camp arrived at Berwick (Clarendon, vol. 1, pp. 115, 116, 117).

The Scottish army was as numerous as that of the king, but inferior in cavalry. The officers had more reputation and experience, and the soldiers, though undisciplined and ill-armed, were animated as well by the national aversion to England, and the dread of becoming a province to their old enemy, as by an unsurmountable favour of

religion. The pulpits had extremely assisted the officers in levying recruits, and had thundered out anathemas against all those 'who went not out to assist the Lord against the mighty' (Burnet's Mem. of Hamilton). Yet so prudent were the leaders of the malcontents, that they immediately sent submissive messages to the king, and craved to be admitted to a treaty.

Charles knew that the force of the covenanters was considerable, their spirits high, their zeal furious, and that, as they were not yet daunted by any ill success, no reasonable terms could be expected from them. With regard, therefore, to a treaty, great difficulties occurred on both sides. Should he submit to the pretensions of the malcontents, besides that the prelacy must be sacrificed to their religious prejudices, such a check would be given to royal authority, which had very lately and with much difficulty, been thoroughly established in Scotland, that he must expect, ever after, to retain, in that kingdom, no more than the appearance of majesty. The great men, having proved, by so sensible a trial, the impotence of law and prerogative, would return to their former licentiousness, the preachers would retain their innate arrogance, and the people, unprotected by justice, would recognise no other authority than that which they found to domineer over them. England also, it was much to be feared, would imitate so bad an example; and having already a strong propensity towards republican and puritanical factions, would expect, by the same seditious practices, to attain the same indulgence. To advance so far, without bringing the rebels to a total submission, at least to reasonable concessions, was to promise them, in all future time, an impunity for rebellion.

On the other hand, Charles considered that Scotland was never before, under any of his ancestors, so united, and so animated in its own defence, yet had often been able to foil or elude the force of England, combined heartily in one cause, and inured by long practice to the use of arms. How much greater difficulty should he find, at present, to subdue by violence a people inflamed with religious prejudices, while he could only oppose to them a nation enervated by long peace, and lukewarm in his service, or, what was more to be dreaded, many of them engaged in the same party with the rebels (Rush, vol. iii, p. 936). Should the war be only protracted beyond a campaign, (and who could expect to finish it in that period?) his treasures would fail him, and, for supply, he must have recourse to an English parliament, which, by fatal experience, he had ever found more ready to encroach on the prerogatives, than to supply the necessities, of the crown. And what if he receive a defeat from the rebel army? This misfortune was far from being impossible. They were engaged in a national cause, and strongly actuated by mistaken principles. His army was retained entirely by pay, and looked on the quarrel with the same indifference which naturally belongs to mercenary troops, without possessing the discipline by which such troops are commonly distinguished. And the consequences of a defeat, while Scotland was enraged and England discontented, were so dreadful, that no motive could persuade him to hazard it.

It is evident that Charles had fallen into such a situation that,

whichever side he embraced, his errors must be dangerous. No wonder, therefore, he was in great perplexity. But he did worse than embrace the worst side, for, properly speaking, he embraced no side at all. He concluded a sudden pacification, in which it was stipulated, that he should withdraw his fleet and army, that, within eight-and-forty hours, the Scots should dismiss their forces, that the king's forts should be restored to him, his authority be acknowledged, and a general assembly and a parliament be immediately summoned, in order to compose all differences (Rush, p 945). What were the reasons which engaged the king to admit such strange articles of peace, it is vain to inquire. For there scarcely could be any. The causes of that event may admit of a more easy explication.

The malcontents had been very industrious in representing to the English the grievances under which Scotland laboured, and the ill counsels which had been suggested to their sovereign. Their liberties, they said, were invaded, the prerogatives of the crown extended beyond all former precedent, illegal courts erected, the hierarchy exalted at the expense of national privileges, and so many new superstitions introduced by the haughty tyrannical prelates, as begat a just suspicion that a project was seriously formed for the restoration of popery. The king's conduct, surely, in Scotland, had been, in everything, except in establishing the ecclesiastical canons, more legal than in England, yet was there such a general resemblance in the complaints of both kingdoms, that the English readily assented to all the representations of the Scottish malcontents, and believed that nation to have been driven, by oppression, into the violent counsels which they had embraced. So far, therefore, from being willing to second the king in subduing the free spirits of the Scots, they rather pitied that unhappy people, who had been pushed to those extremities. And they thought that the example of such neighbours, as well as their assistance, might, some time, be advantageous to England, and encourage her to recover, by a vigorous effort, her violated laws and liberties. The gentry and nobility, who, without attachment to the court, without command in the army, attended in great numbers the English camp, greedily seized, and propagated, and gave authority to these sentiments. A retreat, very little honourable, which the Earl of Holland, with a considerable detachment of the English forces, had made before a detachment of the Scottish, caused all these humours to blaze up at once. And the king, whose character was not sufficiently vigorous or decisive, and who was apt, from facility, to embrace hasty counsels, suddenly assented to a measure which was recommended by all about him, and which favoured his natural propension towards the misguided subjects of his native kingdom (Clarendon, vol 1, pp 122, 123, May, p 46).

Charles, having so far advanced in pacific measures, ought, with a steady resolution, to have prosecuted them, and have submitted to every tolerable condition demanded by the assembly and parliament; nor should he have recommenced hostilities, but on account of such enormous and unexpected pretensions as would have justified his cause, if possible, to the whole English nation. So far, indeed, he adopted this plan, that he agreed, not only to confirm his former con-

cessions, of abrogating the canons, the liturgy, the high commission, and the articles of Perth, but also to abolish the order itself of bishops, for which he had so zealously contended (Rush, vol iii, p 946). But this concession was gained by the utmost violence which he could impose on his disposition and prejudices. He even secretly retained an intention of seizing favourable opportunities, in order to recover the ground which he had lost (Burnet's Mem., p 154, Rush, vol iii, p 951). And one step farther he could not prevail with himself to advance. The assembly, when it met, paid no deference to the king's prepossessions, but gave full indulgence to their own. They (Aug. 17) voted episcopacy to be unlawful in the church of Scotland, he was willing to allow it contrary to the constitutions of that church. They stigmatized the liturgy and canons as popish. he agreed simply to abolish them. They denominated the high commission, tyranny. he was content to set it aside (Idem, *ibid*, p. 958, etc). The parliament, which sat after the assembly, advanced pretensions which tended to diminish the civil power of the monarch, and, what probably affected Charles still more, they were proceeding to ratify the acts of assembly, when by the king's instructions (Rush, vol iii, p 955), Traquair, the commissioner, prorogued them. And on account of these claims, which might have been foreseen, was the war renewed, with great advantages on the side of the covenanters, and disadvantages on that of the king.

No sooner had Charles concluded the pacification without conditions, than the necessity of his affairs, and his want of money, obliged him to disband his army, and as the soldiers had been held together solely by mercenary views, it was not possible, without great trouble and expense, and loss of time, again to assemble them. The more prudent covenanters had concluded, that their pretensions being so contrary to the interests, and still more to the inclinations of the king, it was likely that they should again be obliged to support their cause by arms; and they were therefore careful, in dismissing their troops, to preserve nothing but the appearance of a pacific disposition. The officers had orders to be ready on the first summons. The soldiers were warned not to think the nation secure from an English invasion. And the religious zeal which animated all ranks of men, made them immediately fly to their standards as soon as the trumpet was sounded by their spiritual and temporal leaders. The credit which, in their last expedition, they had acquired, by obliging their sovereign to depart from all his pretensions, gave courage to every one, in undertaking this new enterprise (Clarendon, vol i, p 125. Rush, vol iii, p 1023).

The king, with great difficulty, found means to draw together an army, but soon discovered that, all savings being gone, and great debts contracted, his revenue would be insufficient to support them. An English parliament, therefore, formerly so unkind and intractable, must now, after above eleven years' intermission, after the king had tried many irregular methods of taxation, after multiplied disgusts given to the puritanical party, be summoned to assemble (A.D. 1640, April 13), amidst the most pressing necessities of the crown.

As the king resolved to try whether this House of Commons would be more compliant than their predecessors, and grant him supply on

any reasonable terms, the time appointed for the meeting of parliament was late, and very near the time allotted for opening the campaign against the Scots. After the past experience of their ill-humour, and of their encroaching disposition, he thought that he could not, in prudence, trust them with a long session, till he had seen some better proofs of their good intentions. The urgency of the occasion, and the little time allowed for debate, were reasons which he reserved against the malcontents in the house, and an incident had happened, which, he believed, had now furnished him with still more cogent arguments.

The Earl of Traquair had intercepted a letter, written to the king of France by the Scottish malcontents, and had conveyed this letter to the king. Charles, partly repenting of the large concessions made to the Scots, partly disgusted at their fresh insolence and pretensions, seized this opportunity of breaking with them. He had thrown into the Tower Lord Loudon, commissioner from the covenanters; one of the persons who had signed the treasonable letter¹. And he now laid the matter before the parliament, whom he hoped to inflame by the resentment, and alarm by the danger of this application to a foreign power. By the mouth of the lord keeper, Finch, he discovered his wants, and informed them that he had been able to assemble his army, and to subsist them, not by any revenue which he possessed, but by means of a large debt of above 300,000*l*, which he had contracted, and for which he had given security upon the crown-lands. He represented that it was necessary to grant supplies for the immediate and urgent demands of his military armaments: that the season was far advanced, the time precious, and none of it must be lost in deliberation: that though his coffers were empty, they had not been exhausted by unnecessary pomp, or sumptuous buildings, or any other kind of magnificence: that whatever supplies had been levied on his subjects, had been employed for their advantage and preservation, and like vapours rising out of the earth, and gathered into a cloud, had fallen in sweet and refreshing showers on the same fields from which they had, at first, been exhaled: that though he desired such immediate assistance as might prevent, for the time, a total disorder in the government, he was far from any intention of precluding them from their right to inquire into the state of the kingdom, and to offer him petitions for the redress of their grievances: that as much as was possible of this season should afterwards be allowed them for that purpose: that as he expected only such supply at present as the current service necessarily required, it would be requisite to assemble them again next winter, when they should have full leisure to conclude whatever business had, this session, been left imperfect and unfinished: that the parliament of Ireland had twice put such trust in his good intentions as to grant him, in the beginning of the session, a large supply, and had ever experienced good effects from the confidence reposed in him: and that, in every circumstance, his people should find his conduct suitable to a just, pious, and gracious king, and such as was calculated to promote an entire harmony between prince and parliament (Rush, vol. iii, p. 1114).

¹ Clarendon, vol. i, p. 129, Rush, vol. iii, p. 956, May, p. 56.

However plausible these topics, they made small impression on the House of Commons. By some illegal and several suspicious measures of the crown, and by the courageous opposition which particular persons, amidst dangers and hardships, had made to them, the minds of men throughout the nation had taken such a turn as to ascribe every honour to the refractory opposers of the king and the ministers. These were the only patriots, the only lovers of their country, the only heroes, and, perhaps, too, the only true Christians. A reasonable compliance with the court was slavish dependence, a regard to the king, servile flattery, a confidence in his promises, shameful prostitution. This general cast of thought, which has, more or less, prevailed in England during near a century and a half, and which has been the cause of much good and much ill in public affairs, never predominated more than during the reign of Charles. The present House of Commons, being entirely composed of country gentlemen, who came into parliament with all their native prejudices about them, and whom the crown had no means of influencing, could not fail to maintain a majority of these stubborn patriots.

Affairs, likewise, by means of the Scottish insurrection, and the general discontents in England, were drawing so near to a crisis that the leaders of the house, sagacious and penetrating, began to foresee the consequences, and to hope that the time, so long wished for, was now come, when royal authority must fall into a total subordination under popular assemblies, and when public liberty must acquire a full ascendant. By reducing the crown to necessities, they had hitherto found that the king had been pushed into violent counsels, which had served extremely the purposes of adversaries, and by multiplying these necessities, it was foreseen that his prerogative, undermined on all sides, must at last be overthrown, and be no longer dangerous to the privileges of the people. Whatever, therefore, tended to compose the differences between king and parliament, and to preserve the government uniformly in its present channel, was zealously opposed by these popular leaders; and their past conduct and sufferings gave them credit sufficient to effect all their purposes.

The House of Commons, moved by these and many other obvious reasons, instead of taking notice of the king's complaints against his Scottish subjects, or his applications for supply, entered immediately upon grievances; and a speech, which Pym made them on that subject, was much more hearkened to than that which the lord keeper had delivered to them in the name of their sovereign. The subject of Pym's harangue has been sufficiently explained above, where we gave account of all the grievances, imaginary in the Church, more real in the State, of which the nation, at that time, so loudly complained (Clarendon, vol i, p 133; Rush, vol iii, p 1131; May, p 60). The house began with examining the behaviour of the speaker the last day of the former parliament, when he refused, on account of the king's command, to put the question, and they declared it a breach of privilege. They proceeded next to inquire into the imprisonment and prosecution of Sir John Elliot, Hollis, and Valentine, (Rush, vol iii, p. 1136). The affair of ship-money was canvassed, and plentiful subject, of inquiry was suggested on all hands. Grievances were regularly

classed under three heads those with regard to privileges of parliament, to the property of the subject, and to religion (Rush, vol iii, p. 1147) The king, seeing a large and inexhaustible field opened, pressed them again for supply, and finding his message ineffectual, he came to the House of Peers, and desired their good offices with the commons. The peers were sensible of the king's urgent necessities, and thought that supply, on this occasion, ought, both in reason and in decency, to go before grievances. They ventured to represent their sense of the matter to the commons, but their intercession did harm. The commons had always claimed, as their peculiar province, the granting of supplies, and, though the peers had here gone no farther than offering advice, the lower house immediately thought proper to vote so unprecedented an interposition to be a breach of privilege (Clarendon, vol i, p. 134). Charles, in order to bring the matter of supply to some issue, solicited the house by new messages, and finding that ship-money gave great alarm and disgust, besides informing them that he never intended to make a constant revenue of it, that all the money levied had been regularly, with other sums, expended on equipping the navy, he now went so far as to offer them a total abolition of that obnoxious claim, by any law which the commons should think proper to present to him. In return he only asked, for his necessities, a supply of twelve subsidies, about 600,000*l.*, and that payable in three years, but, at the same time, he let them know that, considering the situation of his affairs, a delay would be equivalent to a denial (Clarendon, vol i, p. 135, Rush, vol iii, p. 1154). The king, though the majority was against him, never had more friends in any House of Commons, and the debate was carried on for two days, with great zeal and warmth on both sides.

It was urged by the partisans of the court that the happiest occasion, which the fondest wishes could suggest, was now presented, for removing all disgusts and jealousies between king and people, and for reconciling their sovereign, for ever, to the use of parliaments that if they, on their part, laid aside all enormous claims and pretensions, and provided, in a reasonable manner, for the public necessities, they needed entertain no suspicion of any insatiable ambition or illegal usurpation in the crown that though due regard had not always been paid, during this reign, to the rights of the people, yet no invasion of them had been altogether deliberate and voluntary, much less the result of wanton tyranny and injustice, and still less of a formed design to subvert the constitution that to repose a reasonable confidence in the king, and generously to supply his present wants, which proceeded neither from prodigality nor misconduct, would be the true means of gaining on his generous nature, and extorting, by gentle violence, such concessions as were requisite for the establishment of public liberty. that he had promised, not only on the word of a prince, but also on that of a gentleman (the expression which he had been pleased to use), that, after the supply was granted, the parliament should still have liberty to continue their deliberations, could it be suspected that any man, any prince, much less such a one, whose word was, as yet, sacred and inviolate, would, for so small a motive, forfeit his honour, and with it all future trust and confidence, by breaking a

promise so public and so solemn ? that even if the parliament should be deceived in reposing confidence in him, they ætether lost anything nor incurred any danger, since it was evidently necessary, for the security of public peace, to supply him with money, in order to suppress the Scottish rebellion that he had so far suited his first demands to their prejudices, that he only asked a supply for a few months, and was willing, after so short a trust from them, to fall again into dependence, and to trust them for his further support and subsistence that if he now seemed to desire something further, he also made them, in return, a considerable offer, and was willing, for the future, to depend on them for a revenue which was quite necessary for public honour and security that the nature of the English constitution supposed a mutual confidence between king and parliament, and if they should refuse it on their part, especially with circumstances of such outrage and indignity, what could be expected but a total dissolution of government, and violent factions, followed by the most dangerous convulsions and intestine disorders ?

In opposition to these arguments it was urged by the malcontent party that the court had discovered, on their part, but few symptoms of that mutual confidence to which they now so kindly invited the commons that eleven years, intermission of parliaments, the longest that was to be found in the English annals, was a sufficient indication of the jealousy entertained against the people, or rather of designs formed for the suppression of their liberties and privileges that the ministers might well plead necessity, nor could anything, indeed, be a stronger proof of some invincible necessity, than their embracing a measure for which they had conceived so violent an aversion as the assembling of an English parliament that this necessity, however, was purely ministerial, not national, and if the same grievances, ecclesiastical and civil, under which the nation itself laboured, had pushed the Scots to extremities, was it requisite that the English should forge their own chains by imposing chains on their unhappy neighbours ? that the ancient practice of parliament was to give grievances the precedency of supply, and this order, so carefully observed by their ancestors, was founded on a jealousy inherent in the constitution, and was never interpreted as any peculiar diffidence of the present sovereign that a practice, which had been upheld during times the most favourable to liberty, could not, in common prudence be departed from, where such undeniable reasons for suspicion had been afforded that it was ridiculous to plead the advanced season, and the urgent occasion for supply, when it plainly appeared that, in order to afford a pretence for this topic, and to seduce the commons, great political contrivance had been employed that the writs for elections had been issued early in the winter, and if the meeting of parliament had not purposely been delayed till so near the commencement of military operations, there had been leisure sufficient to have redressed all national grievances, and to have proceeded afterwards to an examination of the king's occasion for supply that the intention of so gross an artifice was to engage the commons, under pretence of necessity, to violate the regular order of parliament ; and a precedent of that kind being once established, no inquiry into public measures would afterwards be permitted. that scarcely any

argument more unfavourable could be pleaded for supply than an offer to abolish ship-money, a taxation the most illegal and the most dangerous that has ever, in any reign, been imposed upon the nation; and that, by bargaining for the remission of that duty, the commons would, in a manner, ratify the authority by which it had been levied; at least, give encouragement for the advancing new pretensions of a like nature, in hopes of resigning them on like advantageous conditions.

These reasons, joined to so many occasions of ill-humour, seemed to sway with the greater number, but to make the matter worse, Sir Harry Vane, the secretary, told the commons, without any authority from the king, that nothing less than twelve subsidies would be accepted as a compensation for the abolition of ship-money. This assertion, proceeding from the indiscretion, if we are not rather to call it the treachery, of Vane, displeased the house, by showing a stiffness and rigidity in the king, which, in a claim so ill-grounded, was deemed inexcusable (Clarendon, vol. 1, p. 138). We are informed likewise, that some men, who were thought to understand the state of the nation, affirmed in the house that the amount of twelve subsidies was a greater sum than could be found in all England. Such were the happy ignorance and inexperience of those times with regard to taxes (Clarendon, vol. 1, p. 136).

The king was in great doubt and perplexity. He saw that his friends in the house were outnumbered by his enemies, and that the same counsels were still prevalent which had ever bred such opposition and disturbance. Instead of hoping that any supply would be granted him to carry on war against the Scots, whom the majority of the house regarded as their best friends and firmest allies, he expected every day that they would present him an address for making peace with those rebels. And if the house met again, a vote, he was informed, would certainly pass, to blast his revenue of ship-money; and thereby renew all the opposition which with so much difficulty he had surmounted in levying that taxation. Where great evils lie on all sides, it is difficult to follow the best counsel, nor is it any wonder that the king, whose capacity was not equal to situations of such extreme delicacy, should hastily have formed and executed the resolution of dissolving this parliament: a measure, however, of which he soon after repented, and which the subsequent events, more than any convincing reason, inclined every one to condemn. The last parliament, which ended with such rigour and violence, had yet, at first, covered their intentions with greater appearance of moderation than this parliament had hitherto assumed.

An abrupt and violent dissolution naturally excites discontents among the people, who usually put entire confidence in their representatives, and expect from them the redress of all grievances. As if there were not already sufficient grounds of complaint, the king persevered still in those counsels, which, from experience, he might have been sensible, were so dangerous and unpopular. Bellasis and Sir John Hotham were summoned before the council; and refusing to give any account of their conduct in parliament, were committed to prison. All the petitions and complaints which had been sent to the committee of religion were demanded from Crew, chairman of that

committee, and on his refusal to deliver them, he was sent to the Tower. The studies, and even the pockets of the Earl of Warwick and Lord Broke, before the expiration of privilege, were searched, in expectation of finding treasonable papers. These acts of authority were interpreted, with some appearance of reason, to be invasions on the right of national assemblies (Rush, vol. III, p. 1167, May, p. 61). But the king, after the first provocation which he met with, never sufficiently respected the privileges of parliament, and by his example he farther confirmed their resolution, when they should acquire power, to pay like disregard to the prerogatives of the crown.

Though the parliament was dissolved, the convocation was still allowed to sit, a practice of which, since the Reformation, there were but few instances,¹ and which was for that reason supposed by many to be irregular. Besides granting to the king a supply from the spirituality, and framing many canons, the convocation, jealous of like innovations with those which had taken place in Scotland, imposed an oath on the clergy and the graduates in the universities, by which every one swore to maintain the established government of the Church by archbishops, bishops, deans, chapters, etc. (Whitlocke, p. 33). These steps, in the present discontented humour of the nation, were commonly deemed illegal, because not ratified by consent of parliament, in whom all authority was now supposed to be centered. And nothing besides could afford more subject of ridicule than an oath which contained an *et cætera* in the midst of it.

The people, who generally abhorred the convocation as much as they revered the parliament, could scarcely be restrained from insulting and abusing this assembly; and the king was obliged to give them guards, in order to protect them (Whitlocke, p. 33). An attack too was made during the night upon Laud, in his palace of Lambeth, by above 500 persons; and he found it necessary to fortify himself for his defence (Dugdale, p. 62, Clarendon, vol. I, p. 143). A multitude, consisting of 2000 sectaries, entered St Paul's, where the high commission then sat, tore down the benches, and cried out, 'No bishop, no high commission' (Dugdale, p. 65). All these instances of discontent were presages of some great revolution, had the court possessed sufficient skill to discern the danger, or sufficient power to provide against it.

In this disposition of men's minds, it was in vain that the king issued a declaration, in order to convince his people of the necessity which he lay under of dissolving the last parliament (Rushworth, vol. III, p. 1166). The chief topic on which he insisted, was, that the commons imitated the bad example of all their predecessors of late years, in making continual encroachments on his authority, in censuring his whole administration and conduct, in discussing every circumstance of public government, and in their indirect bargaining and contracting with their king for supply, as if nothing ought to be given him but what he should purchase, either by quitting somewhat of his royal prerogative, or by diminishing and lessening his standing

¹ There was one in 1586, Hist. of Archbishop Laud, p. 80. The authority of the convocation was indeed, in most respects, independent of the parliament, and there was no reason which required the one to be dissolved upon the dissolution of the other.

revenue. These practices, he said, were contrary to the maxims of their ancestors, and these practices were totally incompatible with monarchy.¹

The king, disappointed of parliamentary subsidies, was obliged to have recourse to other expedients, in order to supply his urgent necessities. The ecclesiastical subsidies served him in some stead; and it seemed but just, that the clergy should contribute to a war which

¹ We shall here make use of the liberty allowed in a note, to expatiate a little on the present subject. It must be confessed that the king, in this declaration, touched upon that circumstance in the English constitution which it is most difficult, or rather altogether impossible, to regulate by laws, and which must be governed by certain delicate ideas of propriety and decency, rather than by any exact rule of prescription. To deny the parliament all right of remonstrating against what they esteem grievances, were to reduce that assembly to a total insignificance, and to deprive the people of every advantage which they could reap from popular councils. To complain of the parliament's employing the power of taxation, as the means of extorting concessions from their sovereign, were to expect that they would entirely disarm themselves, and renounce the sole expedient provided by the constitution for ensuring to the kingdom a just and legal administration. In different periods of English story, there occur instances of their remonstrating with their princes in the fiercest manner, and sometimes of their refusing supply, when disgusted with any circumstance of public conduct. 'Tis, however, certain, that this power, though essential to parliaments, may easily be abused, as well by the frequency and minuteness of their remonstrances, as by their intrusion into every part of the king's counsels and determinations. Under colour of advice, they may give disguised orders, and in complaining of grievances, they may draw to themselves every power of government. Whatever measure is embraced, without consulting them, may be pronounced an oppression of the people, and, till corrected, they may refuse the most necessary supplies to their indigent sovereign. From the very nature of this parliamentary liberty, it is evident that it must be left unbounded by law, for who can foretell how frequently grievances may occur, or what part of administration may be affected by them? From the nature too of the human frame, it may be expected that this liberty would be exerted in its full extent, and no branch of authority be allowed to remain unmolested in the hands of the prince, for will the weak limitations of respect and decorum be sufficient to restrain human ambition which so frequently breaks through all the prescriptions of law and justice?

But here it is observable, that the wisdom of the English constitution, or rather the concurrence of accidents, has provided, in different periods, certain irregular checks to this privilege of parliament, and thereby maintained, in some tolerable measure, the dignity and authority of the crown.

In the ancient constitution before the beginning of the seventeenth century, the meetings of parliament were precarious and were not frequent. The sessions were short, and the members had no leisure, either to get acquainted with each other or with public business. The ignorance of the age made men more submissive to that authority which governed them. And above all, the large demesnes of the crown, with the small expense of government during that period, rendered the prince almost independent, and taught the parliament to preserve great submission and duty towards him.

In our present constitution, many accidents, which have rendered governments, everywhere, as well as in Great Britain, much more burdensome than formerly, have thrown into the hands of the crown the disposal of a large revenue, and have enabled the king, by the private interest and ambition of the members, to restrain the public interest and ambition of the body. While the opposition (for we must still have an opposition, open or disguised) endeavours to draw every branch of administration under the cognisance of parliament, the courtiers reserve a part to the disposal of the crown, and the royal prerogative, though deprived of its ancient powers, still maintains a due weight in the balance of the constitution.

It was the fate of the house of Stuart to govern England at a period when the former source of authority was already much diminished, and before the latter began to flow in any tolerable abundance. Without a regular and fixed foundation, the throne perpetually tottered, and the prince sat upon it unquietly and precariously. Every expedient, used by James and Charles, in order to support their dignity, we have seen attended with sensible inconveniences. The majesty of the crown, derived from ancient powers and prerogatives, procured respect, and checked the approaches of insolent intruders; but it begat in the king so high an idea of his own rank and station, as made him incapable of stooping to popular courses, or submitting, in any degree, to the control of parliament. The alliance with the hierarchy strengthened law by the sanction of religion, but it enraged the puritanical party, and exposed the prince to the attacks of enemies, numerous, violent, and implacable. The memory too of these two kings, from like causes, has been attended, in some degree, with the same infelicity which pursued them during the whole course of their lives. Though it must be confessed that their skill in government was not proportioned to the extreme delicacy of their situation; a sufficient indulgence has not been given them, and all the blame, by several historians, has

was, in a great measure, of their own raising (May, p 48) He borrowed money from his ministers and courtiers, and so much was he beloved among them, that above 300,000*l* were subscribed in a few days though nothing surely could be more disagreeable to a prince, full of dignity, than to be a burden on his friends, instead of being a support to them Some attempts were made towards forcing a loan from the citizens, but still repelled by the spirit of liberty, which was now become unconquerable (Rush, vol iii., p 1181) A loan of 40,000*l* was extorted from the Spanish merchants, who had bullion in the Tower exposed to the attempts of the king Coat and conduct-money for the soldiery was levied on the counties, an ancient practice (Idem, vol i, p 168), but supposed to be abolished by the petition of right All the pepper was bought from the East India company upon trust, and sold, at a great discount, for ready money (May p 63) A scheme was proposed for coining two or three hundred thousand pounds of base money (Rush, vol iii, p 1216; May, p 63) Such were the extremities to which Charles was reduced The fresh difficulties which, amidst the present distresses, were every day raised with regard to the payment of ship-money, obliged him to exert continual acts of authority, augmented the discontents of the people, and increased his indigence and necessities¹

The present expedients, however, enabled the king, though with great difficulty, to march his army, consisting of 19,000 foot and 2000 horse (Rush, vol iii, p 1279) The Earl of Northumberland was appointed general the Earl of Strafford, who was called over from Ireland, lieutenant-general Lord Conway, general of the horse. A small fleet was thought sufficient to serve the purpose of this expedition.

So great are the effects of zeal and unanimity, that the Scottish army, though somewhat superior, were sooner ready than the king's; and they marched to the borders of England To engage them to proceed, besides their general knowledge of the secret discontents of that kingdom, Lord Saville had forged a letter, in the name of six noblemen the most considerable of England, by which the Scots were invited to assist their neighbours in procuring a redress of grievances (Nelson, vol ii, p 427) Notwithstanding these warlike preparations and hostile attempts, the covenanters still preserved the most pathetic and most submissive language, and (Aug 20) entered England, they said, with no other view, than to obtain access to the king's presence, and lay their humble petition at his royal feet. At Newburn-upon-Tyne, they were opposed by a detachment of 4500 men under Conway, who seemed resolute to dispute with them the passage of the been unjustly thrown on their side Their violations of law, particularly those of Charles, are in some few instances, transgressions of a plain limit, which was marked out to royal authority But the encroachments of the commons, though, in the beginning, less positive and determinate, are no less discernible by good judges, and were equally capable of destroying the just balance of the constitution While they exercised the powers transmitted to them in a manner more independent and less compliant than had ever before been practised, the kings were, perhaps imprudently, but, as they imagined, from necessity, tempted to assume powers, which had scarcely ever been exercised, or had been exercised in a different manner, by the crown And from the shock of these opposite pretensions, together with religious controversy, arose all the factions, convulsions, and disorders which attended that period

[This Note was, in the first editions, a part of the text.]

¹ Rush, vol iii, pp 1173, 1182, 1184, 1199, 1200, 1203, 1204

river. The Scots first entreated them, with great civility, not to stop them in their march to their gracious sovereign, and (Aug 28) then attacked them with great bravery, killed several, and chased the rest from their ground. Such a panic seized the whole English army, that the forces at Newcastle fled immediately to Durham; and not yet thinking themselves safe, they deserted that town and retreated into Yorkshire (Clarendon, vol 1, p. 143).

The Scots took possession of Newcastle, and though sufficiently elated with their victory, they preserved exact discipline, and persevered in their resolution of paying for everything, in order still to maintain the appearance of an amicable correspondence with England. They also despatched messengers to the king, who was arrived at York, and they took care, after the advantage which they had obtained, to redouble their expressions of loyalty, duty, and submission to his person, and they even made apologies, full of sorrow and contrition, for their late victory (Rush, vol III, p. 1255).

Charles was in a very distressed condition. The nation was universally and highly discontented. The army was discouraged, and began likewise to be discontented, both from the contagion of general disgust, and as an excuse for their misbehaviour, which they were desirous of representing rather as want of will than of courage to fight. The treasury too was quite exhausted, and every expedient for supply had been tried to the uttermost. No event had happened but what might have been foreseen as necessary, at least as very probable, yet such was the king's situation, that no provision could be made, nor was even any resolution taken against such an exigency.

In order to prevent the advance of the Scots upon him, the king agreed to a treaty, and named sixteen English noblemen, who met with eleven Scottish commissioners at Ripon. The Earls of Hertford, Bedford, Salisbury, Warwick, Essex, Holland, Bristol, and Berkshire, the Lords Kimbolton, Whaiton, Dunsmore, Paget, Broke, Saville, Paulet, and Howard of Escric, were chosen by the king, all of them popular men, and consequently supposed nowise averse to the Scottish invasion, or unacceptable to that nation (Clarendon, vol 1., p. 155).

An address arrived from the city of London, petitioning for a parliament; the great point to which all men's projects at this time tended (Rush, vol III, p. 1263). Twelve noblemen presented a petition to the same purpose.¹ But the king contented himself with summoning a great council of the peers at York, a measure which had formerly been taken in cases of sudden emergency, but which, at present, could serve to little purpose. Perhaps the king, who decided above all things the House of Commons, and who expected no supply from them on any reasonable terms, thought that in his present distresses he might be enabled to levy supplies by the authority of the peers alone. But the employing, so long, the plea of a necessity, which appeared distant and doubtful, rendered it impossible for him to avail himself of a necessity which was now at last become real, urgent, and inevitable.

By Northumberland's sickness the command of the army had devolved on Stafford. This nobleman possessed more vigour of mind than the king or any of the council. He advised Charles rather to put

¹ Clarendon, vol 1, p. 146, Rush, vol. III, p. 1260, May, p. 66, Warwick, p. 151.

all to hazard, than submit to such unworthy terms as were likely to be imposed upon him. The loss sustained at Newburn, he said, was inconsiderable, and though a panic had for the time seized the army, that event was nothing strange among new levied troops, and the Scots being in the same condition, would, no doubt, be liable, in their turn, to a like accident. His opinion, therefore, was, that the king should push forward and attack the Scots and bring the affair to a quick decision, and if he were ever so unsuccessful, nothing worse could befall him than what, from his inactivity, he would certainly be exposed to (Nelson, vol. 11, p. 5). To show how easy it would be to execute this project, he ordered an assault to be made on some quarters of the Scots, and he gained an advantage over them. No cessation of arms had, as yet, been agreed to during the treaty at Ripon, yet great clamour prevailed on account of this act of hostility. And when it was known that the officer who conducted the attack was a papist, a violent outcry was raised against the king for employing that hated sect in the murder of his protestant subjects (Clarendon, vol. 1, p. 159).

It may be worthy of remark that several mutinies had arisen among the English troops when marching to join the army, and some officers had been murdered, merely on suspicion of their being papists (Rush, vol. 11, pp. 1190, 1191, 1192, etc., May, p. 64). The petition of right had abolished all martial law; and by an inconvenience which naturally attended the plan, as yet new and unformed, of regular and rigid liberty, it was found absolutely impossible for the generals to govern the army by all the authority which the king could legally confer upon them. The lawyers had declared that martial law could not be exercised, except in the very presence of an enemy, and because it had been found necessary to execute a mutineer, the generals thought it advisable, for their own safety, to apply for a pardon from the crown. This weakness, however, was carefully concealed from the army, and Lord Conway said that if any lawyer were so imprudent as to discover the secret to the soldiers, it would be necessary instantly to refute him, and to hang the lawyer himself by sentence of a court-martial (Rush, vol. 11, p. 1199).

An army new levied, undisciplined, frightened, seditious, ill-paid, and governed by no proper authority, was very unfit for withstanding a victorious and high-spirited enemy, and retaining in subjection a discontented and zealous nation.

Charles, in despair of being able to stem the torrent, at last determined to yield to it; and as he foresaw that the great council of the peers would advise him to call a parliament, he (Sept. 24) told them, in his first speech, that he had already taken this resolution. He informed them, likewise, that the queen, in a letter which she had written to him, had very earnestly recommended that measure. This good prince, who was extremely attached to his consort, and who passionately wished to render her popular in the nation, forgot not, amidst all his distress, the interests of his domestic tenderness (Clarendon, vol. 1, p. 154, Rush, vol. 11, p. 1275).

In order to subsist both armies (for the king was obliged, in order to save the northern counties, to pay his enemies) Charles wrote to the city, desiring a loan of 200,000*l*. And the peers at York, whose authority was now much greater than that of their sovereign, joined in the

same request (Rush, vol. iii, p. 1279) So low was this prince already fallen in the eyes of his own subjects!

As many difficulties occurred in the negotiation with the Scots, it was proposed to transfer the treaty from Ripon to London a proposal willingly embraced by that nation, who were now sure of treating with advantage, in a place where the king, they foresaw, would be, in a manner, a prisoner, in the midst of his implacable enemies and their determined friends (*Ibid*, p. 1305).

CHAPTER LIV

Meeting of the Long Parliament—Strafford and Laud impeached—Finch and Wendebank fly—Great authority of the Commons.—The bishops attacked—Tonnage and poundage—Triennial bill—Strafford's trial—Bill of attainder—Execution of Strafford.—High Commission and Star Chamber abolished—The King's journey to Scotland.

THE causes of disgust which, for above thirty years, had daily been multiplying in England, were now come to full maturity, and threatened the kingdom with some great revolution or convulsion. The uncertain and undefin'd limits of prerogative and privilege had been eagerly disputed during that whole period; and in every controversy between prince and people, the question, however doubtful, had always been decided by each party in favour of its own pretensions. Too lightly, perhaps, moved by the appearance of necessity, the king had even assumed powers incompatible with the principles of limited government, and had rendered it impossible for his most zealous partisans entirely to justify his conduct, except by topics so unpopular that they were more fitted, in the present disposition of men's minds, to inflame than appease the general discontent. Those great supports of public authority, law and religion, had likewise, by the unbounded compliance of judges and prelates, lost much of their influence over the people; or rather had in a great measure gone over to the side of faction, and authorized the spirit of opposition and rebellion. The nobility, also, whom the king had no means of retaining by offices and preferments suitable to their rank, had been seized with the general discontent, and unwarily threw themselves into the scale which already began too much to preponderate. Sensible of some encroachments which had been made by royal authority, men entertained no jealousy of the commons, whose enterprises for the acquisition of power had ever been covered with the appearance of public good, and had hitherto gone no farther than some disappointed efforts and endeavours. The progress of the Scottish malcontents reduced the crown to an entire dependence for supply their union with the popular party in England brought great accession of authority to the latter. the near prospect of success roused all latent murmurs and pretensions which had hitherto been held in such violent constraint and the torrent of general inclination and opinion ran so strongly against the court, that the king was

in no situation to refuse any reasonable demands of the popular leaders, either for defining or limiting the powers of his prerogative. Even many exorbitant claims, in his present situation, would probably be made, and must necessarily be complied with.

The triumph of the malcontents over the church was not yet so immediate or certain. Though the political and religious puritans mutually lent assistance to each other, there were many who joined the former, yet declined all connection with the latter. The hierarchy had been established in England ever since the Reformation: the Romish church, in all ages, had carefully maintained that form of ecclesiastical government: the ancient Fathers too bore testimony to episcopal jurisdiction: and though parity may seem at first to have had place among Christian pastors, the period during which it prevailed was so short that few undisputed traces of it remained in history. The bishops and their more zealous partisans inferred thence the divine indefeasible right of prelacy: others regarded that institution as venerable and useful, and if the love of novelty led some to adopt the new rites and discipline of the puritans, the reverence to antiquity retained many in their attachment to the liturgy and government of the church. It behoved, therefore, the zealous innovators in parliament to proceed with some caution and reserve. By promoting all measures which reduced the powers of the Crown, they hoped to disarm the king, whom they justly regarded, from principle, inclination, and policy, to be the determined patron of the hierarchy. By declaiming against the supposed encroachments and tyranny of the prelates, they endeavoured to carry the nation, from a hatred of their persons, to an opposition against their office and character. And when men were enlisted in party, it would not be difficult, they thought, to lead them by degrees into many measures for which they formerly entertained the greatest aversion. Though the new sectaries composed not, at first, the majority of the nation, they were inflamed, as is usual among innovators, with extreme zeal for their opinions. Their insurmountable passion, disguised to themselves, as well as to others, under the appearance of holy fervour, was well qualified to make proselytes, and to seize the minds of the ignorant multitude. And one furious enthusiast was able, by his active industry, to surmount the indolent efforts of many sober and reasonable antagonists.

When the nation, therefore, was so generally discontented, and little suspicion was entertained of any design to subvert the church and monarchy, no wonder that almost all elections ran in favour of those who, by their high pretensions to piety and patriotism had encouraged the national prejudices. It is a usual compliment to regard the king's inclination in the choice of a Speaker, and Charles had intended to advance Gardiner, Recorder of London, to that important trust, but so little interest did the crown at that time possess in the nation, that Gardiner was disappointed of his election, not only in London, but in every other place where it was attempted, and the king was obliged to make the choice of Speaker fall on Lenthall, a lawyer of some character, but not sufficiently qualified for so high and difficult an office (Clarendon, vol. 1, p. 169).

The eager expectations of men with regard to a parliament sum-

moned at so critical a juncture and during such general discontents; a parliament which, from the situation of public affairs, could not be abruptly dissolved, and which was to execute everything left unfinished by former parliaments; these motives, so important and interesting, engaged the attendance of all the members, and the House of Commons was never observed to be, from the beginning, so full and numerous. Without any interval, therefore, they entered upon business, and, by unanimous consent, they immediately struck a blow which may, in a manner, be regarded as decisive.

The Earl of Strafford was considered as chief minister, both on account of the credit which he possessed with his master, and of his own great and uncommon vigour and capacity. By a concurrence of accidents, this man laboured under the severe hatred of all the three nations which composed the British monarchy. The Scots, whose authority now ran extremely high, looked on him as the capital enemy of their country, and one whose counsels and influence they had most reason to apprehend. He had engaged the parliament of Ireland to advance large subsidies, in order to support a war against them. He had levied an army of 9000 men, with which he had menaced all their western coast. He had obliged the Scots who lived under his government, to renounce the covenant, their national idol. He had, in Ireland, proclaimed the Scottish covenanters rebels and traitors, even before the king had issued any such declaration against them in England, and he had ever dissuaded his master against the late treaty and suspension of arms, which he regarded as dangerous and dishonourable. So avowed and violent were the Scots in their resentment of all these measures, that they had refused to send commissioners to treat at York, as was at first proposed, because, they said, the Lieutenant of Ireland, their capital enemy, being general of the king's forces, had there the chief command and authority.

Strafford, first as deputy, then as lord lieutenant, had governed Ireland during eight years with great vigilance, activity, and prudence, but with very little popularity. In a nation so averse to the English government and religion, these very virtues were sufficient to draw on him the public hatred. The manners too and character of this great man, though to all full of courtesy, and to his friends full of affection, were, at bottom, haughty, rigid, and severe. His authority and influence, during the time of his government, had been unlimited, but no sooner did adversity seize him, than the concealed aversion of the nation blazed up at once, and the Irish parliament used every expedient to aggravate the charge against him.

The universal discontent which prevailed in England against the court, was all pointed towards the Earl of Strafford, though without any particular reason, but because he was the minister of state whom the king most favoured and most trusted. His extraction was honourable, his paternal fortune considerable, yet envy attended his sudden and great elevation. And his former associates in popular counsels, finding that he owed his advancement to the desertion of their cause, represented him as the great apostate of the commonwealth, whom it behoved them to sacrifice as a victim to public justice.

Strafford, sensible of the load of popular prejudices under which he

laboured, would gladly have declined attendance in parliament, and he begged the king's permission to withdraw himself to his government of Ireland, at least to remain at the head of the army in Yorkshire, where many opportunities, he hoped, would offer, by reason of his distance, to elude the attacks of his enemies. But Charles, who had entire confidence in the earl's capacity, thought that his counsels would be extremely useful during the critical session which approached. And when Strafford still insisted on the danger of his appearing amidst so many enraged enemies, the king, little apprehensive that his own authority was so suddenly to expire, promised him protection, and assured him that not a hair of his head should be touched by the parliament (Whitlocke, p. 36).

No sooner was Strafford's arrival known, than (Nov. 11) a concerted attack was made upon him in the House of Commons. Pym, in a long, studied discourse, divided into many heads after his manner, enumerated all the grievances under which the nation laboured, and from a complication of such oppressions, inferred that a deliberate plan had been formed of changing entirely the frame of government, and subverting the ancient laws and liberties of the kingdom (Ibid). Could anything, he said, increase our indignation against so enormous and criminal a project, it would be to find that, during the reign of the best of princes, the constitution had been endangered by the worst of ministers, and that the virtues of the king had been seduced by wicked and pernicious counsel. We must inquire, added he, from what fountain these waters of bitterness flow, and though doubtless many evil counsellors will be found to have contributed their endeavours, yet is there one who challenges the infamous pre-eminence, and who, by his courage, enterprise, and capacity, is entitled to the first place among these betrayers of their country. He is the Earl of Strafford, Lieutenant of Ireland, and President of the council of York, who in both places, and in all other provinces where he has been entrusted with authority, has raised ample monuments of tyranny, and will appear, from a survey of his actions, to be the chief promoter of every arbitrary counsel. Some instances of imperious expressions, as well as actions, were given by Pym, who afterwards entered into a more personal attack of that minister, and endeavoured to expose his whole character and manners. The austere genius of Strafford, occupied in the pursuits of ambition, had not rendered his breast altogether inaccessible to the tender passions, or secured him from the dominion of the fair, and in that sullen age, when the irregularities of pleasure were more reproachful than the most odious crimes, these weaknesses were thought worthy of being mentioned, together with his treasons, before so great an assembly. And, upon the whole, the orator concluded that it belonged to the house to provide a remedy proportionable to the disease, and to prevent the further mischiefs justly to be apprehended from the influence which this man had acquired over the measures and counsels of their sovereign (Clarendon, vol. 1, p. 172).

Sir John Clotworthy, an Irish gentleman, Sir John Hotham of Yorkshire, and many others, entered into the same topics, and, after several hours spent in bitter invective, when the doors were locked, in order to prevent all discovery of their purpose, it was moved, in con-

sequence of the resolution secretly taken, that Strafford should immediately be impeached of high treason. This motion was received with universal approbation, nor was there, in all the debate, one person that offered to stop the torrent by any testimony in favour of the earl's conduct. Lord Falkland alone, though known to be his enemy, modestly desired the house to consider whether it would not better suit the gravity of their proceedings, first to digest, by a committee, many of those particulars which had been mentioned, before they sent up an accusation against him. It was ingeniously answered by Pym, that such a delay might probably blast all their hopes, and put it out of their power to proceed any further in the prosecution: that when Strafford should learn that so many of his enormities were discovered, his conscience would dictate his condemnation, and so great was his power and credit, he would immediately procure the dissolution of the parliament, or attempt some other desperate measure for his own preservation: that the commons were only accusers, not judges, and it was the province of the peers to determine whether such a complication of enormous crimes in one person did not amount to the highest crime known by the law (Clarendon, vol 1, p 174). Without further debate, the impeachment was voted. Pym was chosen to carry it up to the lords: most of the house accompanied him on so agreeable an errand, and Strafford, who had just entered the House of Peers, and who little expected so speedy a prosecution, was immediately, upon this general charge, ordered into custody, with several symptoms of violent prejudice in his judges, as well as in his prosecutors.

In the inquiry concerning grievances, and in the censure of past measures, Laud could not long escape the severe scrutiny of the commons, who were led too in their accusation of that prelate, as well by their prejudices against his whole order as by the extreme antipathy which his intemperate zeal had drawn upon him. After a deliberation which scarcely lasted half an hour, an impeachment of high treason was voted against this subject, the first, both in rank and in favour, throughout the kingdom. Though this incident, considering the example of Strafford's impeachment and the present disposition of the nation and parliament, needed be no surprise to him, yet was he betrayed into some passion, when the accusation was presented. 'The commons themselves,' he said, 'though his accusers, did not believe him guilty of the crimes with which they charged him' an indiscretion which, next day, upon more mature deliberation, he desired leave to retract, but so little favourable were the peers that they refused him this advantage of indulgence. Laud also was immediately, upon this general charge, sequestered from parliament, and committed to custody.¹

The capital article insisted on against these two great men was the design, which the commons supposed to have been formed, of subverting the laws and constitution of England, and introducing arbitrary and unlimited authority into the kingdom. Of all the king's ministers, no one was so obnoxious in this respect as the lord keeper, Finch. He it was who, being speaker in the king's third parliament, had left the chan, and refused to put the question, when ordered by the house.

¹ Clarendon, vol 1, p 177, Whitlocke, p 38, Rushworth, vol III, p 1365.

The extrajudicial opinion of the judges in the case of ship-money had been procured by his intrigues, persuasions, and even menaces. In all unpopular and illegal measures he was ever most active, and he was even believed to have declared publicly that, while he was keeper, an order of council should always, with him, be equivalent to a law. To appease the rising displeasure of the commons, he desired to be heard at their bar. He prostrated himself with all humility before them, but this submission availed him nothing. An impeachment was resolved on, and in order to escape their fury, he thought proper secretly to withdraw, and retire into Holland. As he was not esteemed equal to Strafford, or even to Laud, either in capacity or in fidelity to his master, it was generally believed that his escape had been connived at by the popular leaders.¹ His impeachment, however, in his absence, was carried up to the House of Peers.

Sir Francis Windebank, the secretary, was a creature of Laud's: a sufficient reason for his being extremely obnoxious to the commons. He was secretly suspected too of the crime of popery, and it was known that, from complaisance to the queen, and indeed in compliance with the king's maxims of government, he had granted many indulgences to Catholics, and had signed warrants for the pardon of priests, and their delivery from confinement. Grimstone, a popular member, called him, in the house, the very pandur and broker to the whore of Babylon (Rushworth, vol v, p 122). Finding that the scrutiny of the commons was pointing towards him, and being sensible that England was no longer a place of safety for men of his character, he suddenly made his escape into France (Clarendon, vol 1, p 178, Whitlocke, p 37).

Thus, in a few weeks, this House of Commons, not opposed, or rather seconded by the peers, had produced such a revolution in the government that two most powerful and most favoured ministers of the king were thrown into the Tower, and daily expected to be tried for their life, two other ministers had, by flight alone, saved themselves from a like fate, all the king's servants saw that no protection could be given them by their master, a new jurisdiction was erected in the nation, and before that tribunal all those trembled who had before exulted most in their credit and authority.

What rendered the power of the commons more formidable was the extreme prudence with which it was conducted. Not content with the authority which they had acquired by attacking these great ministers, they were resolved to render the most considerable bodies of the nation obnoxious to them. Though the idol of the people, they determined to fortify themselves likewise with terrors, and to overawe those who might still be inclined to support the falling ruins of monarchy.

During the late military operations, several powers had been exercised by the lieutenants and deputy-lieutenants of counties, and these powers, though necessary for the defence of the nation, and even warranted by all former precedent, yet not being authorized by statute, were now voted to be illegal, and the persons who had assumed them declared 'delinquents'. This term was newly come into vogue, and

¹ Clarendon, vol 1, p 177, Whitlocke, p 38, Rushworth, vol 1, pp 129, 136

expressed a degree and species of guilt not exactly known or ascertained. In consequence of that determination, many of the nobility and prime gentry of the nation, while only exerting, as they justly thought, the legal powers of magistracy, unexpectedly found themselves involved in the crime of delinquency. And the commons reaped this multiplied advantage by their vote: they disarmed the crown, they established the maxims of rigid law and liberty; and they spread the terror of their own authority (Clarendon, vol 1, p 176).

The writs for ship-money had been directed to the sheriffs, who were required, and even obliged, under severe penalties, to assess the sums upon individuals, and to levy them by their authority; yet were all the sheriffs, and all those who had been employed in that illegal service, voted, by a very rigorous sentence, to be delinquents. The king, by the maxims of law, could do no wrong, his ministers and servants, of whatever degree, in case of any violation of the constitution, were alone culpable (Clarendon, vol 1, p 176).

All the farmers and officers of the customs, who had been employed during so many years in levying tonnage and poundage and the new impositions, were likewise declared criminals, and were afterwards glad to compound for a pardon by paying a fine of 150,000*l*.

Every discretionary or arbitrary sentence of the star-chamber and high commission courts, which, from their very constitution, were arbitrary, underwent a severe scrutiny, and all those who had concurred in such sentences were voted to be liable to the penalties of law (Ibid, p 177). No minister of the king, no member of the council, but found himself exposed by this decision.

The judges who had given their vote against Hampden, in the trial of ship-money, were accused before the peers, and obliged to find surety for their appearance. Berkeley, a judge of the King's Bench, was seized, by order of the house, even when sitting in his tribunal, and all men saw with astonishment the irresistible authority of their jurisdiction (Whitlocke, p 39).

The sanction of the lords and commons, as well as that of the king, was declared necessary for the confirmation of ecclesiastical canons (Nelson, vol 1, p 678). And this judgment, it must be confessed, however reasonable, at least useful, it would have been difficult to justify by any precedent¹. But the present was no time for question or dispute. That decision, which abolished all legislative power except that of parliament, was requisite for completing the new plan of liberty, and rendering it quite uniform and systematical. Almost all the bench of bishops, and the most considerable of the inferior clergy, who had voted in the late convocation, found themselves exposed, by these new principles, to the imputation of delinquency².

The most unpopular of all Charles's measures, and the least justifiable, was the revival of monopolies, so solemnly abolished, after 16-

¹ An act of parliament, 25 Hen VIII, cap 19, allowed the convocation, with the king's consent, to make canons. By the famous act of submission to that prince, the clergy bound themselves to enact no canons without the king's consent. The parliament was never mentioned nor thought of. Such pretensions as the commons advanced at present would, in any former age, have been deemed strange usurpations.

² Clarendon, vol 1, p 206, Whitlocke, p 37, Rush, vol v, pp 235, 359, Nelson, vol 1, p. 807.

iterated endeavours, by a recent Act of Parliament. Sensible of this unhappy measure, the king had, of himself, recalled, during the time of his first expedition against Scotland, many of these oppressive patents, and the rest were now annulled by authority of parliament, and every one who was concerned in them, declared delinquents. The commons carried so far their detestation of this odious measure, that they assumed a power which had formerly been seldom practised,¹ and they expelled all their members who were monopolists or projectors, an artifice by which, besides increasing their own privileges, they weakened still further the very small party which the king secretly retained in the house. Mildmay, a notorious monopolist, yet having associated himself with the ruling party, was still allowed to keep his seat. In all questions indeed of elections, no steady rule of decision was observed, and nothing further was regarded than the affections and attachments of the parties (Clarendon, vol 1, p 176). Men's passions were too much heated to be shocked with any instance of injustice which served ends so popular as those which were pursued by this House of Commons.

The whole sovereign power being thus in a manner transferred to the commons, and the government, without any seeming violence or disorder, being changed in a moment from a monarchy almost absolute to a pure democracy, the popular leaders seemed willing for some time to suspend their active vigour, and to consolidate their authority, ere they proceeded to any violent exercise of it. Every day produced some new harangue on past grievances. The detestation of former usurpations was further enlivened, the jealousy of liberty roused, and, agreeably to the spirit of free government, no less indignation was excited by the view of a violated constitution than by the ravages of the most enormous tyranny.

This was the time when genius and capacity of all kinds, freed from the restraint of authority, and nourished by unbounded hopes and projects, began to exert themselves and be distinguished by the public. Then was celebrated the sagacity of Pym, more fitted for use than ornament, matured, not chilled, by his advanced age and long experience. Then was displayed the mighty ambition of Hampden, taught disguise, not moderation, from former constraint, supported by courage, conducted by prudence, embellished by modesty, but whether founded in a love of power or zeal for liberty is still, from his untimely end, left doubtful and uncertain. Then too were known the dark, ardent, and dangerous character of St John, the impetuous spirit of Hollis, violent and sincere, open and entire in his enmities and in his friendships, the enthusiastic genius of young Vane, extravagant in the ends which he pursued, sagacious and profound in the means which he employed, incited by the appearances of religion, negligent of the duties of morality.

So little apology would be received for past measures, so contagious was the general spirit of discontent, that even men of the most moderate tempers, and the most attached to the church and monarchy, exerted themselves with the utmost vigour in the redress of grievances, and

¹ Clarendon says it was entirely new, but there are instances of it in the reign of Elizabeth. D'Ewes, pp 296, 352. There are also instances in the reign of James

in prosecuting the authors of them. The lively and animated Digby displayed his eloquence on this occasion, the firm and undaunted Capel, the modest and candid Palmer. In this list too of patriot royalists are found the virtuous names of Hyde and Falkland. Though in their ultimate views and intentions these men differed widely from the former, in their present action and discourses an entire concurrence and unanimity was observed.

By the daily harangues and invectives against illegal usurpations, not only the House of Commons inflamed themselves with the highest animosity against the court, the nation caught new fire from the popular leaders, and seemed now to have made the first discovery of the many supposed disorders in the government. While the law, in several instances, seemed to be violated, they went no further than some secret and calm murmurs, but mounted up into rage and fury as soon as the constitution was thought to be restored to its former integrity and vigour. The capital especially, being the seat of parliament, was highly animated with the spirit of mutiny and disaffection. Tumults were daily raised, seditious assemblies encouraged, and every man, neglecting his own business, was wholly intent on the defence of liberty and religion. By stronger contagion the popular affections were communicated from breast to breast, in this place of general rendezvous and society.

The harangues of members, now first published and dispersed, kept alive the discontents against the king's administration. The pulpits, delivered over to puritanical preachers and lecturers, whom the commons arbitrarily settled in all the considerable churches, resounded with faction and fanaticism. Vengeance was fully taken for the long silence and constraint in which, by the authority of Laud and the high commission, these preachers had been retained. The press, freed from all fear or reserve, swarmed with productions, dangerous by their seditious zeal and calumny more than by any art or eloquence of composition. Noise and fury, cant and hypocrisy, formed the sole rhetoric which, during this tumult of various prejudices and passions, could be heard or attended to.

The sentence which had been executed against Prynne, Bastwick, and Burton, now suffered a revision from parliament. These libellers, far from being tamed by the rigorous punishments which they had undergone, showed still a disposition of repeating their offence, and the ministers were afraid lest new statutes should issue from their prisons, and still further inflame the prevailing discontents. By an order therefore of council, they had been carried to remote prisons. Bastwick to Scilly, Prynne to Jersey, Burton to Guernsey, all access to them was denied, and the use of books, and of pen, ink, and paper, was refused them. The sentence for these additional punishments was immediately reversed in an arbitrary manner by the commons, even the first sentence, upon examination, was declared illegal, and the judges who passed it were ordained to make reparation to the sufferers (Nelson, vol 1, p 783, May, p 79). When the prisoners landed in England, they were received and entertained with the highest demonstrations of affection, were attended by a mighty confluence of company, their charges were borne with great magnificence,

and liberal presents bestowed on them. On their approach to any town, all the inhabitants crowded to receive them, and welcomed them in reception with shouts and acclamations. Their train still increased, as they drew nigh to London. Some miles from the city the zealots of their party met them in great multitudes, and attended their triumphant entrance. Boughs were carried in this tumultuous procession, the roads were strewn with flowers, and amidst the highest exultations of joy were intermingled loud and violent invectives against the prelates who had so cruelly persecuted such godly personages.¹ The more ignoble these men were, the more sensible was the insult upon royal authority, and the more dangerous was the spirit of disaffection and mutiny which it discovered among the people.

Lilburne, Leighton, and every one that had been punished for seditious libels during the preceding administration, now recovered their liberty, and were decreed damages from the judges and ministers of justice (Rush, vol. v, p. 228, Nalson, vol. 1, p. 800).

Not only the present disposition of the nation ensured impunity to all libellers, a new method of flaming and dispensing libels was invented by the leaders of popular discontent. Petitions to parliament were drawn, craving redress against particular grievances, and when a sufficient number of subscriptions were procured, the petitions were presented to the commons, and immediately published. These petitions became secret bonds of association among the subscribers, and seemed to give undoubted satisfaction and authority to the complaints which they contained.

It is pretended by historians favourable to the royal cause (Dugdale, Clarendon, vol. 1, p. 203), and is even asserted by the king himself in a declaration (Husb. Col., p. 536), that a most disingenuous or rather criminal practice prevailed, in conducting many of these addresses. A petition was first framed, moderate, reasonable, such as men of character willingly subscribed. The names were afterwards torn off, and affixed to another petition, which served better the purposes of the popular faction. We may judge of the wild fury which prevailed throughout the nation, when so scandalous an imposture, which affected such numbers of people, could be openly practised, without drawing infamy and ruin upon the managers.

So many grievances were offered, both by the members, and by petitions without doors, that the house was divided into above forty committees, charged, each of them, with the examination of some particular violation of law and liberty, which had been complained of. Besides the general committees of religion, trade, privileges, laws, many subdivisions of these were framed, and a strict scrutiny was everywhere carried on. It is to be remarked that, before the beginning of this century, when the commons assumed less influence and authority, complaints of grievances were usually presented to the house by any members who had had particular opportunity of observing them. These general committees, which were a kind of inquisitorial courts, had not then been established, and we find that the king, in a former declaration,² complains loudly of this innovation, so little

¹ Clarendon, vol. 1, pp. 199, 200, etc., Nalson, vol. 1, p. 570, May, p. 80.

² Published on dissolving the third parliament. *Parl. Hist.*, vol. viii, p. 347.

favourable to royal authority. But never was so much multiplied, as at present, the use of these committees, and the commons, though themselves the greatest innovators, employed the usual artifice of complaining against innovations, and pretending to recover the ancient and established government.

From the reports of their committees, the house daily passed votes, which mortified and astonished the court, and inflamed and animated the nation. Ship-money was declared illegal and arbitrary, the sentence against Hampden cancelled, the court of York abolished; compositions for knighthood stigmatized, the enlargement of the forests condemned, patents for monopolies annulled, and every late measure of administration treated with reproach and obloquy. To-day, a sentence of the star-chamber was exclaimed against; to-morrow, a decree of the high commission. Every discretionary act of council was represented as arbitrary and tyrannical, and the general inference was still inculcated, that a formed design had been laid to subvert the laws and constitution of the kingdom.

From necessity, the king remained entirely passive during all these violent operations. The few servants who continued faithful to him were seized with astonishment at the rapid progress made by the commons in power and popularity, and were glad, by then inactive and inoffensive behaviour, to compound for impunity. The torrent rising to so dreadful and unexpected a height, despair seized all those who, from interest or habit, were most attached to monarchy. And as for those who maintained their duty to the king merely from their regard to the constitution, they seemed by their concurrence to swell that inundation which began already to deluge everything. 'You have taken the whole machine of government to pieces,' said Charles, in a discourse to the parliament, 'a practice frequent with skilful artists, when they desire to clear the wheels from any rust, which may have grown upon them. The engine,' continued he, 'may again be restored to its former use and motions, provided it be put up entire, so as not a pin of it be wanting.' But this was far from the intentions of the commons. The machine, they thought with some reason, was encumbered with many wheels and springs, which retarded and crossed its operations, and destroyed its utility. Happy had they proceeded with moderation, and been contented, in their plenitude of power, to remove such parts only as might be deemed superfluous and incongruous.

In order to maintain that high authority which they had acquired, the commons, besides confounding and overawing their opponents, judged it requisite to inspire courage into their friends and adherents, particularly into the Scots, and the religious puritans, to whose assistance and good offices they were already so much beholden.

No sooner were the Scots masters of the northern counties, than they laid aside their first professions, which they had not indeed means to support, of paying for everything, and in order to prevent the destructive expedient of plunder and free quarters, the country consented to give them a regular contribution of 850*l* a day, in full of their subsistence (Rushworth, vol. iii, p. 1295). The parliament, that they might relieve the northern counties from so grievous a burden,

agreed to remit pay to the Scottish, as well as to the English army, and because subsidies would be levied too slowly for so urgent an occasion, money was borrowed from the citizens upon a security of particular members. Two subsidies, a small sum,¹ were at first voted, and as the intention of this supply was to indemnify the members who, by their private, had supported public, credit, this pretence was immediately laid hold of, and the money was ordered to be paid, not into the treasury, but to commissioners appointed by parliament a practice which, as it diminished the authority of the crown, was willingly embraced, and was afterwards continued by the commons, with regard to every branch of revenue which they granted to the king. The invasion of the Scots had evidently been the cause of assembling the parliament the presence of their army reduced the king to that total subjection in which he was now held the commons, for this reason, openly professed their intention of retaining these invaders, till all their own enemies should be suppressed, and all their purposes effected 'We cannot yet spare the Scots,' said Storde plainly in the house, 'the sons of Zeruiah are still too strong for us' (Dugdale, p 71) an allusion to a passage of Scripture, according to the mode of that age. Eighty thousand pounds a month were requisite for the subsistence of the two armies, a sum much greater than the subject had ever been accustomed, in any former period, to pay to the public. And though several subsidies, together with a poll-tax, were from time to time voted to answer the charge, the commons still took care to be in debt, in order to render the continuance of the session the more necessary.

The Scots being such useful allies to the malcontent party in England, no wonder they were courted with the most unlimited complaisance and the most important services. The king having, in his first speech, called them 'rebels,' observed that he had given great offence to the parliament, and he was immediately obliged to soften, and even retract the expression. The Scottish commissioners, of whom the most considerable were the Earl of Rothes and Lord Loudon, found every advantage in conducting their treaty, yet made no haste in bringing it to an issue. They were lodged in the city, and kept an intimate correspondence, as well with the magistrates, who were extremely disaffected, as with the popular leaders in both houses. St Antholin's church was assigned them for their devotions, and their chaplains here began openly to practise the presbyterian form of worship, which, except in foreign languages, had never hitherto been allowed any indulgence or toleration. So violent was the general propensity towards this new religion, that multitudes of all ranks crowded to the church. Those who were so happy as to find access early in the morning kept their places the whole day those who were excluded clung to the doors or windows, in hopes of catching at least some distant murmur or broken phrases of the holy rhetoric (Clarendon, vol 1., p 189). All the eloquence of parliament, now well refined from pedantry, animated with the spirit of liberty, and employed in the most important interests, was not attended to with such insatiable avidity as were these lectures, delivered with ridiculous cant, and a provincial accent, full of barbarism and of ignorance.

¹ It appears that a subsidy was now fallen to 50,000*l*.

The most effectual expedient for paying court to the zealous Scots was to promote the presbyterian discipline and worship throughout England, and to this innovation the popular leaders among the commons, as well as their more devoted partisans, were, of themselves, sufficiently inclined. The puritanical party, whose progress, though secret, had hitherto been gradual in the kingdom, taking advantage of the present disorders, began openly to profess their tenets, and to make furious attacks on the established religion. The prevalence of that sect in the parliament discovered itself, from the beginning, by insensible but decisive symptoms. Marshall and Burgess, two puritanical clergymen, were chosen to preach before them, and entertained them with discourses seven hours in length (Nelson, vol. 1, pp. 530, 533). It being the custom of the house always to take the sacrament before they entered upon business, they ordered, as a necessary preliminary, that the communion table should be removed from the east end of St. Margaret's into the middle of the area (*Idem*, *ibid.*, p. 537). The name of the 'spiritual lords' was commonly left out in acts of parliament, and the laws ran in the name of king, lords, and commons. The clerk of the upper house, in reading bills, turned his back on the bench of bishops, nor was his insolence ever taken notice of. On a day appointed for a solemn fast and humiliation at the orders of temporal peers, contrary to former practice, in going to church, took place of the spiritual, and Lord Spencer remarked that the humiliation that day seemed confined alone to the prelates.

Every meeting of the commons produced some vehement harangue against the usurpations of the bishops, against the high commission, against the late convocation, against the new canons. So disgusted were all lovers of civil liberty at the doctrines promoted by the clergy, that these invectives were received without control; and no distinction, at first, appeared between such as desired only to repress the exorbitances of the hierarchy, and such as pretended totally to annihilate episcopal jurisdiction. Encouraged by these favourable appearances, petitions against the church were framed in different parts of the kingdom. The epithet of the ignorant and vicious priesthood was commonly applied to all churchmen addicted to the established discipline and worship, though the episcopal clergy in England, during that age, seem to have been, as they are at present, sufficiently learned and exemplary. An address against episcopacy was presented by twelve clergymen to the committee of religion, and pretended to be signed by many hundreds of the puritanical persuasion. But what made most noise was the city petition for a total alteration of church government, a petition to which 15,000 subscriptions were annexed, and which was presented by Alderman Pennington, the city member¹. It is remarkable that, among the many ecclesiastical abuses there complained of, an allowance, given by the licensers of books, to publish a translation of Ovid's 'Art of Love' is not forgotten by these rustic censors (*Rush*, vol. v, p. 171).

Notwithstanding the favourable disposition of the people, the leaders in the house resolved to proceed with caution. They introduced a bill for prohibiting all clergymen the exercise of any civil office. As

¹ Clarendon, vol. 1, p. 203, Whitlocke, p. 37, Nelson, vol. 1, p. 666.

a consequence, the bishops were to be deprived of their seats in the house of peers, a measure not unacceptable to the zealous friends of liberty, who observed with regret the devoted attachment of that order to the will of the monarch. But when this bill was presented to the peers, it was rejected by a great majority (Clarendon, vol 1, p 237). the first check which the commons had received in their popular career, and a prognostic of what they might afterward expect from the upper house, whose inclinations and interests could never be totally separated from the throne. But to show how little they were discouraged, the puritans immediately brought in another bill for the total abolition of episcopacy, though they thought proper to let that bill sleep at present, in expectation of a more favourable opportunity of reviving it (Idem, *ibid*)

Among other acts of regal executive power, which the commons were every day assuming, they issued orders for demolishing all images, altars, crucifixes. The zealous Sir Robert Harley, to whom the execution of these orders was committed, removed all crosses even out of streets and markets; and from his abhorrence of that superstitious figure would not anywhere allow one piece of wood or stone to lie over another at right angles (Whitlocke, p 45)

The Bishop of Ely and other clergymen were attacked on account of innovations (Rushworth, vol v, p 351). Cozens, who had long been obnoxious, was exposed to new censures. This clergyman, who was Dean of Peterborough, was extremely zealous for ecclesiastical ceremonies, and so far from permitting the communicants to break the sacramental bread with their fingers,—a privilege on which the puritans strenuously insisted—he would not so much as allow it to be cut with an ordinary household instrument. A consecrated knife must perform that sacred office, and must never afterward be profaned by any vulgar service (*Ibid*, p 203)

Cozens likewise was accused of having said, 'The king has no more authority in ecclesiastical matters than the boy who rubs my horse's heels'. The expression was violent, but it is certain that all those high churchmen who were so industrious in reducing the laity to submission were extremely fond of their own privileges and independency, and were desirous of exempting the mitre from all subjection to the crown.

A committee was elected by the lower house, as a court of inquisition upon the clergy, and was commonly denominated the committee of 'scandalous ministers'. The politicians among the commons were apprised of the great importance of the pulpit for guiding the people, the bigots were enraged against the prelatical clergy, and both of them knew that no established government could be overthrown by strictly observing the principles of justice, equity, or clemency. The proceedings, therefore, of this famous committee, which continued for several years, were cruel and arbitrary, and made great havoc both on the church and the universities. They began with harassing, imprisoning, and molesting the clergy, and ended with sequestering and ejecting them. In order to join contumely to cruelty, they gave the sufferers the epithet of 'scandalous,' and endeavoured to render them

¹ *Parl Hist*, vol vii, p 282, Rushworth, vol v, p 202

as odious as they were miserable¹ The greatest vices, however, which they could allege as a reproach to a great part of them, were bowing at the name of Jesus, placing the communion-table in the east, reading the king's orders for sports on Sunday, and other practices, which the established government, both in church and state, had strictly enjoined them

It may be worth observing, that all historians who lived near that age, or what perhaps is more decisive, all authors who have casually made mention of those public transactions, still represent the civil disorders and convulsions as proceeding from religious controversy, and consider the political disputes about power and liberty as entirely subordinate to the other It is true, had the king been able to support government, and at the same time to abstain from all invasion of national privileges, it seems not probable that the puritans ever could have acquired such authority as to overturn the whole constitution, yet so entire was the subjection into which Charles was now fallen, that had not the wound been poisoned by the infusion of theological hatred, it must have admitted of an easy remedy Disuse of parliaments, imprisonments and prosecution of members, ship-money, an arbitrary administration, these were loudly complained of but the grievances which tended chiefly to inflame the parliament and nation, especially the latter, were the suplice, the rails placed about the altar, the bows exacted on approaching it, the liturgy, the breach of the sabbath, embroidered copes, lawn sleeves, the use of the ring in marriage, and of the cross in baptism On account of these were the popular leaders content to throw the government into such violent convulsions, and to the disgrace of that age and of this island, it must be acknowledged that the disorders in Scotland entirely, and those in England mostly, proceeded from so mean and contemptible an origin²

Some persons, partial to the patriots of this age, have ventured to put them in balance with the most illustrious characters of antiquity; and mentioned the names of Pym, Hampden, Vane, as a just parallel to those of Cato, Brutus, Cassius Profound capacity indeed, undaunted courage, extensive enterprise,—in these particulars perhaps the Romans do not much surpass the English worthies, but what a difference, when the discourse, conduct, conversation, and private as well as public behaviour, of both are inspected! Compare only one circumstance, and consider its consequences The leisure of those noble ancients was totally employed in the study of Grecian eloquence and philosophy, in the cultivation of polite letters and civilized society the whole discourse and language of the moderns were polluted with mysterious jargon, and full of the lowest and most vulgar hypocrisy

The laws, as they stood at present, protected the church, but they exposed the Catholics to the utmost rage of the puritans, and these

¹ Clarendon, vol 1, p 199, Whitlocke, p 122, May, p 81

² Clarendon, vol 1, p 233, says that the parliamentary party were not agreed about the entire abolition of episcopacy, they were only the 'root and branch men,' as they were called, who insisted on that measure But those who were willing to retain bishops insisted on reducing their authority to a low ebb, as well as on abolishing the ceremonies of worship, and vestments of the clergy The controversy therefore between the parties was almost wholly theological, and that of the most frivolous and ridiculous kind

unhappy religionists, so obnoxious to the prevailing sect, could not hope to remain long unmolested. The voluntary contribution which they had made, in order to assist the king in his war against the Scottish covenanters, was inquired into, and represented as the greatest enormity (Rushworth, vol v, p 160). By an address from the commons, all officers of that religion were removed from the army, and application was made to the king for seizing two-thirds of the lands of recusants, a proposition to which, by law, he was entitled, but which he had always allowed them to possess upon easy compositions. The execution of the severe and bloody laws against priests was insisted on, and one Goodman, a jesuit, who was found in prison, was condemned to a capital punishment. Charles however, agreeably to his usual principles, scrupled to sign the warrant for his execution; and the commons expressed great resentment on the occasion (Idem, *ibid*, pp 158, 159, Nalson, vol 1, p 739). There remains a singular petition of Goodman, begging to be hanged, rather than prove a source of contention between the king and his people (Rushworth, vol v, p 166, Nalson, vol 1, p. 749). He escaped with his life, but it seems more probable that he was overlooked, amidst affairs of greater consequence, than that such unrelenting hatred would be softened by any consideration of his courage and generosity.

For some years, Con, a Scotchman, afterwards Rosetti, an Italian, had openly resided at London, and frequented the court, as vested with a commission from the Pope. The queen's zeal, and her authority with her husband, had been the cause of this impudence, so offensive to the nation¹. But the spirit of bigotry now rose too high to permit any longer such indulgences (Rushworth, vol v, p 301).

Hayward, a justice of peace, having been wounded, when employed in the exercise of his office, by one James, a catholic madman, this enormity was ascribed to the popey, not to the frenzy, of the assassin, and great alarms seized the nation and parliament (Clarendon, vol 1, p 249, Rushworth, vol v, p 57). A universal conspiracy of the papists was supposed to have taken place, and every man for some days imagined that he had a sword at his throat. Though some persons of family and distinction were still attached to the catholic superstition, it is certain that the numbers of that sect did not amount to the fortieth part of the nation, and the frequent panics to which men, during this period, were so subject on account of the Catholics, were less the effects of fear, than of extreme rage and aversion entertained against them.

The queen-mother of France, having been forced into banishment by some court intrigues, had returned into England, and expected shelter, amidst her present distresses, in the dominions of her daughter and son-in-law. But though she behaved in the most inoffensive manner, she was insulted by the populace on account of her religion, and was even threatened with worse treatment. The Earl of Holland,

¹ It is now known from the Clarendon papers, that the king had also an authorized agent who resided at Rome. His name was Bret, and his chief business was to negotiate with the Pope concerning indulgences to the Catholics, and to engage the Catholics, in return, to be good and loyal subjects. But this whole matter, though very innocent, was most carefully kept secret. The king says that he believed Bret to be as much his as any papist could be. *Fp* 348, 354

Lieutenant of Middlesex, had ordered a hundred musketeers to guard her, but finding that they had imbibed the same prejudices with the rest of their countrymen, and were unwillingly employed in such a service, he laid the case before the House of Peers, for the king's authority was now entirely annihilated. He represented the indignity of the action, that so great a princess, mother to the King of France, and to the Queens of Spain and England, should be attainted by the multitude. He observed the indelible reproach which would fall upon the nation, if that unfortunate queen should suffer any violence from the misguided zeal of the people. He urged the sacred rights of hospitality due to every one, much more to a person in distress, of so high a rank, with whom the nation was so nearly connected. The peers thought proper to communicate the matter to the commons, whose authority over the people was absolute. The commons agreed to the necessity of protecting the queen-mother, but at the same time prayed that she might be desired to depart the kingdom, 'for the quieting those jealousies in the hearts of his majesty's well-affected subjects, occasioned by some ill instruments about that queen's person, by the flowing of priests and papists to her house, and by the use and practice of the idolatry of the mass, and exercise of other superstitious services of the Romish church, to the great scandal of true religion' (Rushworth, vol v, p 267)

Charles, in the former part of his reign, had endeavoured to overcome the intactable and encroaching spirit of the commons, by a perseverance in his own measures, by a stately dignity of behaviour, and by maintaining at their utmost height, and even perhaps stretching beyond former precedent, the rights of his prerogative. Finding, by experience, how unsuccessful those measures had proved, and observing the low condition to which he was now reduced, he resolved to alter his whole conduct, and to regain the confidence of his people by pliability, by concessions, and by a total conformity to their inclinations and prejudices. It may safely be averred that this new extreme into which the king, for want of proper counsel or support, was fallen, became no less dangerous to the constitution, and pernicious to public peace, than the other, in which he had so long and so unfortunately persevered.

The pretensions with regard to tonnage and poundage were revived, and with certain assurance of success by the commons.¹ The levying of these duties, as formerly, without consent of parliament, and even increasing them at pleasure, was such an incongruity in a free constitution, where the people, by their fundamental privileges, cannot be taxed but by their own consent, as could no longer be endured by these jealous patrons of liberty. In the preamble therefore to the bill by which the commons granted these duties to the king, they took care, in the strongest and most positive terms, to assert their own right of bestowing this gift, and to divest the crown of all independent title of assuming it. And that they might increase, or rather finally fix, the

¹ It appears not that the commons, though now entirely masters, abolished the new impositions of James, against which they had formerly so loudly complained, a certain proof that the rates of customs settled by that prince were in most instances just, and proportioned to the new price of commodities. They seem rather to have been low. Journ, 10th Aug, 1695

entire dependence and subjection of the king, they voted these duties only for two months, and afterwards, from time to time, renewed their grant for very short periods¹ Charles, in order to show that he entertained no intention ever again to separate himself from his parliament, passed this important bill without any scruple or hesitation (Clarendon, vol. 1, p. 208)

With regard to the bill for triennial parliaments, he made a little difficulty. By an old statute, passed during the reign of Edw. III., it had been enacted that parliaments should be held once every year, or more frequently if necessary, but as no provision had been made in case of failure, and no precise method pointed out for execution, this statute had been considered merely as a general declaration, and was dispensed with at pleasure. The defect was supplied by those vigilant patriots who now assumed the reins of government. It was enacted that if the chancellor, who was first bound under severe penalties, failed to issue writs by the third of September in every third year, any twelve or more of the peers should be empowered to exert this authority in default of the peers, that the sheriffs, mayors, bailiffs, etc., should summon the voters, and in their default, that the voters themselves should meet and proceed to the election of members in the same manner as if writs had been regularly issued from the crown. Nor could the parliament, after it was assembled, be adjourned, prorogued, or dissolved, without their own consent, during the space of fifty days. By this bill, some of the noblest and most valuable prerogatives of the crown were retrenched, but at the same time nothing could be more necessary than such a statute for completing a regular plan of law and liberty. A great reluctance to assemble parliaments must be expected in the king, where these assemblies, as of late, establish it as a maxim to carry their scrutiny into every part of government. During long intermissions of parliament grievances and abuses, as was found by recent experience, would naturally creep in; and it would even become necessary for the king and council to exert a great discretionary authority, and by acts of state to supply, in every emergency, the legislative power, whose meeting was so uncertain and precarious. Charles, finding that nothing less would satisfy his parliament and people, at last gave his assent to this bill, which produced so great an innovation in the constitution². Solemn thanks were presented him by both houses. Great rejoicings were expressed both in the city and throughout the nation. And mighty professions were everywhere made of gratitude and mutual returns of supply and confidence. This concession of the king, it must be owned, was not entirely voluntary, it was of a nature too important to be voluntary. The sole inference which his partisans were entitled to draw from the submissions so frankly made to present necessity was, that he had certainly adopted a new plan of government, and for the future was resolved, by every indulgence, to acquire the confidence and affections of his people.

¹ It was an instruction given by the house to the committee which framed one of these bills, to take care that the rates upon exportation may be as light as possible, and upon importation as heavy as trade will bear, a proof that the nature of commerce began now to be understood. Journ. 1 June, 1641.

² Clarendon, vol. 1, p. 209, Whitlocke, p. 39, Rushworth, vol. v, p. 189.

Charles thought that what concessions were made to the public were of little consequence, if no gratifications were bestowed on individuals who had acquired the direction of public counsels and determinations. A change of ministers, as well as of measures, was therefore resolved on. In one day several new privy councillors were sworn; the Earls of Heitford, Bedford, Essex, Bristol, the Lords Saye, Saville, Kimbolton within a few days after was admitted the Earl of Warwick (Clarendon, vol 1, p 195). All these noblemen were of the popular party, and some of them afterwards, when matters were pushed to extremities by the commons, proved the greatest support of monarchy.

Juxon, Bishop of London, who had never desired the treasurer's staff, now earnestly solicited for leave to resign it, and retire to the care of that turbulent diocese committed to him. The king gave his consent, and it is remarkable that, during all the severe inquiries carried on against the conduct of ministers and prelates, the mild and prudent virtues of this man, who bore both these invidious characters, remained unmolested (Warwick, p 95). It was intended that Bedford, a popular man, of great authority, as well as wisdom and moderation, should succeed Juxon, but that nobleman, unfortunately both for king and people, died about this very time. By some promotions, place was made for St John, who was created solicitor general. Hollis was to be made Secretary of State, in the room of Windebank, who had fled; Pym Chancellor of the exchequer, in the room of Lord Cottington, who had resigned, Lord Saye master of the wards, in the room of the same nobleman, the Earl of Essex governor, and Hampden tutor to the prince (Clarendon, vol 1, pp 210, 211).

What retarded the execution of these projected changes was the difficulty of satisfying all those who, from their activity and authority in parliament, had pretensions for offices, and who still had it in their power to embarrass and distress the public measures. Their associates too in popularity, whom the king intended to distinguish by his favour, were unwilling to undergo the reproach of having driven a separate bargain, and of sacrificing to their own ambitious views the cause of the nation. And as they were sensible that they must owe their pre-eminence entirely to their weight and consideration in parliament, they were most of them resolved still to adhere to that assembly, and both to promote its authority, and to preserve their own credit in it. On all occasions they had no other advice to give the king, than to allow himself to be directed by his great council, or, in other words, to resign himself passively to their guidance and government. And Charles found that, instead of acquiring friends by the honours and offices which he should bestow, he should only arm his enemies with more power to hurt him.

The end on which the king was most intent in changing ministers was to save the life of the Earl of Strafford, and to mollify, by these indulgences, the rage of his most furious prosecutors. But so high was that nobleman's reputation for experience and capacity, that all the new councillors and intended ministers plainly saw that, if he escaped their vengeance, he must return into favour and authority, and they regarded his death as the only security which they could have,

both for the establishment of their present power, and for success in their future enterprises. His impeachment, therefore, was pushed on with the utmost vigour, and, after long and solemn preparations, was brought to a final issue.

Immediately after Strafford was sequestered from parliament, and confined in the Tower, a committee of thirteen was chosen by the lower house, and entrusted with the office of preparing a charge against him. These, joined to a small committee of lords, were vested with authority to examine all witnesses, to call for every paper, and to use any means of scrutiny with regard to any part of the earl's behaviour and conduct (Clarendon, vol. 1, p. 192). After so general and unbounded an inquisition, exercised by such powerful and implacable enemies, a man must have been very cautious or very innocent, not to afford, during the whole course of his life, some matter of accusation against him.

This committee, by direction from both houses, took an oath of secrecy, a practice very unusual, and which gave them the appearance of conspirators more than ministers of justice (Whitlocke, p. 37). But the intention of this strictness was to render it more difficult for the earl to elude their search, or prepare for his justification.

Application was made to the king that he would allow the committee to examine privy councillors with regard to opinions delivered at the board, a concession which Charles unwarily made, and which thenceforth banished all mutual confidence from the deliberations of council, where every man is supposed to have entire freedom, without fear of future punishment or inquiry, of proposing any expedient, questioning any opinion, or supporting any argument (Clarendon, vol. 1, p. 193).

Sir George Ratcliffe, the earl's intimate friend and confidant, was accused of high treason, sent for from Ireland, and committed to close custody. As no charge ever appeared, or was prosecuted against him, it is impossible to give a more charitable interpretation to this measure, than that the commons thereby intended to deprive Strafford, in his present distress, of the assistance of his best friend, who was most enabled, by his testimony, to justify the innocence of his patron's conduct and behaviour (Idem, vol. 1, p. 214).

When intelligence arrived in Ireland of the plans laid for Strafford's ruin, the Irish House of Commons, though they had very lately bestowed ample praises on his administration, entered into all the violent counsels against him, and prepared a representation of the miserable state into which, by his misconduct, they supposed the kingdom to be fallen. They sent over a committee to London to assist in the prosecution of their unfortunate governor, and by intimations from this committee, who entered into close confederacy with the popular leaders in England, was every measure of the Irish parliament governed and directed. Impeachments, which were never prosecuted, were carried up against Sir Richard Bolton, the chancellor, Sir Gerard Louth, chief justice, and Bramhall, Bishop of Down (Rush, vol. v, p. 214). This step, which was an exact counterpart to the proceedings in England, served also the same purposes: it deprived the king of the ministers whom he most trusted, it discouraged and terrified all

the other ministers and it prevented those persons who were best acquainted with Strafford's counsels from giving evidence in his favour before the English parliament

The bishops, being forbidden by the ancient canons to assist in trials for life, and being unwilling, by any opposition, to irritate the commons, who were already much prejudiced against them, thought proper, of themselves, to withdraw (Clarendon, vol 1, p 216). The commons also voted that the new created peers ought to have no voice in this trial, because the accusation being agreed to while they were commoners, their consent to it was implied with that of all the commons of England. Notwithstanding this decision, which was meant only to deprive Strafford of so many friends, Lord Seymour, and some others, still continued to keep their seat, nor was their right to it any farther questioned (Idem, *ibid*)

To bestow the greater solemnity on this important trial, scaffolds were erected in Westminster Hall; where both houses sat, the one as accusers, the other as judges. Beside the chair of state, a close gallery was prepared for the king and queen, who attended during the whole trial¹

An accusation, carried on, by the united effort of three kingdoms, against one man, unprotected by power, unassisted by counsel, discountenanced by authority, was likely to prove a very unequal contest, yet such were the capacity, genius, presence of mind, displayed by this magnanimous statesman, that while argument and reason and law had any place, he obtained an undisputed victory. And he perished at last, overwhelmed and still unsubdued, by the open violence of his fierce and unrelenting antagonists

The articles of impeachment (March 22) against Strafford are twenty-eight in number, and regard his conduct as president of the council of York, as deputy or lieutenant of Ireland, and as councillor or commander in England. But though four months were employed by the managers in framing the accusation, and all Strafford's answers were extemporary, it appears from comparison, not only that he was free from the crime of treason, of which there is not the least appearance, but that his conduct, making allowance for human infirmities exposed to such severe scrutiny, was innocent, and even laudable.

The powers of the northern council, while he was president, had been extended, by the king's instructions, beyond what formerly had been practised, but that court being at first instituted by a stretch of royal prerogative, it had been usual for the prince to vary his instructions, and the largest authority committed to it was altogether as legal as the most moderate and most limited. Nor was it reasonable to conclude that Strafford had used any art to procure those extensive powers, since he never once sat as president, or exercised one act of jurisdiction, after he was invested with the authority so much complained of (Rushworth, vol iv., p. 145)

In the government of Ireland, his administration had been equally promotive of his master's interests and that of the subjects committed to his care. A large debt he had paid off, he had left a considerable sum in the exchequer, the revenue, which never before answered the

¹ Whitlocke, p 40, Rush, vol. iv, p 41, May, p 90.

charges of government, was now raised to be equal to them (Rush, vol iv, pp. 120, 247, Warwick, p 115). A small standing army, formerly kept in no order, was augmented, and was governed by exact discipline, and a great force was there raised and paid, for the support of the king's authority against the Scottish covenanters.

Industry, and all the arts of peace, were introduced among that rude people, the shipping of the kingdom augmented a hundred-fold (Nelson, vol ii, p 45); the customs tripled upon the same rates (Rush, vol iv., p 124), the exports double in value to the imports; manufactures, particularly that of linen, introduced and promoted (Warwick, p 115), agriculture, by means of the English and Scottish plantations, gradually advancing, the Protestant religion encouraged, without the persecution or discontent of the Catholics.

The springs of authority he had enforced without oversteining them. Discretionary acts of jurisdiction indeed he had often exerted, by holding courts martial, billeting soldiers, deciding causes upon paper petitions before the council, issuing proclamations, and punishing their infraction. But discretionary authority, during that age, was usually exercised even in England. In Ireland it was still more requisite, among a rude people, not thoroughly subdued, averse to the religion and manners of their conquerors, ready on all occasions to relapse into rebellion and disorder. While the managers of the commons demanded, every moment, that the deputy's conduct should be examined by the line of rigid law and severe principles, he appealed still to the practice of all former deputies, and to the uncontrollable necessity of his situation.

So great was his art of managing elections and balancing parties, that he had engaged the Irish parliament to vote whatever was necessary, both for the payment of former debts and for support of the new levied army; nor had he ever been reduced to the illegal expedients practised in England for the supply of public necessities. No imputation of rapacity could justly be against his administration. Some instances of imperious expressions, and even actions, may be met with. The case of Lord Mountnorris, of all those which were collected with so much industry, is the most flagrant and the least excusable.

It had been reported at the table of Lord Chancellor Loftus, that Annesley, one of the deputy's attendants, in moving a stool, had sorely hurt his master's foot, who was at that time afflicted with the gout. 'Perhaps,' said Mountnorris, who was present at table, 'it was done in revenge of that public affront which my lord deputy formerly put upon him, but he has a brother, who would not have taken such a revenge.' This casual, and seemingly innocent, at least ambiguous, expression, was reported to Strafford, who, on pretence that such a suggestion might prompt Annesley to avenge himself in another manner, ordered Mountnorris, who was an officer, to be tried by a court martial for mutiny and sedition against his general. The court, which consisted of the chief officers of the army, found the crime to be capital, and condemned that nobleman to lose his head (Rush, vol iv, p 187).

In vain did Strafford plead, in his own defence, against this article

of impeachment, that the sentence of Mountnorris was the deed, and that too unanimous, of the court, not the act of the deputy; that he spake not to a member of the court, nor voted in the cause, but sat uncovered as a party, and then immediately withdrew, to leave them to their freedom, that, sensible of the iniquity of the sentence, he procured his majesty's free pardon to Mountnorris, and that he did not even keep that nobleman in suspense with regard to his fate, but instantly told him that he himself would sooner lose his right hand than execute such a sentence, nor was his lordship's life in any danger. In vain did Stafford's friends add, as a further apology, that Mountnorris was a man of an infamous character, who paid court, by the lowest adulation, to all deputies while present, and blackened their character, by the vilest calumnies, when recalled; and that Stafford, expecting like treatment, had used this expedient for no other purpose than to subdue the petulant spirit of the man. These excuses alleviate the guilt, but there still remains enough to prove that the mind of the deputy, though great and firm, had been not a little debauched by the riot of absolute power and uncontrolled authority.

When Stafford was called over to England, he found everything falling into such convulsion, by the open rebellion of the Scots and the secret discontents of the English, that, if he had counselled or executed any violent measure, he might perhaps have been able to apologise for his conduct from the great law of necessity, which admits not, while the necessity is extreme, of any scruple, ceremony, or delay (Rush, vol iv, p 559). But in fact, no illegal advice or action was proved against him, and the whole amount of his guilt, during this period, was some peevish, or at most imperious, expressions, which, amidst such desperate extremities, and during a bad state of health, had unhappily fallen from him.

If Stafford's apology was, in the main, so satisfactory, which he pleaded to each particular article of the charge, his victory was still more decisive, when he brought the whole together, and repelled the imputation of treason, the crime which the commons would infer from the full view of his conduct and behaviour. Of all species of guilt, the law of England had, with the most scrupulous exactness, defined that of treason, because on that side it was found most necessary to protect the subject against the violence of the king and of his ministers. In the famous statute of Edward III all the kinds of treason are enumerated, and every other crime, besides such as are there expressly mentioned, is carefully excluded from that appellation. But with regard to this guilt, 'An endeavour to subvert the fundamental laws,' the statute of treasons is totally silent, and arbitrarily to introduce it into the fatal catalogue is itself a subversion of all law, and, under colour of defending liberty, reverses a statute the best calculated for the security of liberty that had ever been enacted by an English parliament.

As this species of treason, discovered by the commons, is entirely new and unknown to the laws, so is the species of proof by which they pretend to fix that guilt upon the prisoner. They have invented a kind of accumulative or constructive evidence, by which many actions, either totally innocent in themselves, or criminal in a much

inferior degree, shall, when united, amount to treason, and subject the person to the highest penalties inflicted by the law. A hasty and unguarded word, a rash and passionate action, assisted by the malevolent fancy of the accuser, and tortured by doubtful constructions, is transmuted into the deepest guilt, and the lives and fortunes of the whole nation, no longer protected by justice, are subjected to arbitrary will and pleasure.

‘Where has this species of guilt lain so long concealed?’ said Strafford in conclusion ‘Where has this fire been so long buried, during so many centuries, that no smoke should appear till it burst out at once, to consume me and my children?’ Better it were to live under no law at all, and, by the maxims of cautious prudence, to conform ourselves, the best we can, to the arbitrary will of a master, than fancy we have a law on which we can rely, and find at last that this law shall inflict a punishment precedent to the promulgation, and try us by maxims unheard of till the very moment of the prosecution. If I sail on the Thames, and split my vessel on an anchor, in case there be no buoy to give warning, the party shall pay me damages, but if the anchor be marked out, then is the striking on it at my own peril. Where is the mark set upon this crime? Where the token by which I should discover it? It has lain concealed, under water, and no human prudence, no human innocence, could save me from the destruction with which I am at present threatened.

‘It is now full two hundred and forty years since treasons were defined, and so long has it been since any man was touched to this extent, upon this crime, before myself. We have lived, my lords, happily to ourselves at home, we have lived gloriously abroad to the world: let us be content with what our fathers have left us, let not our ambition carry us to be more learned than they were, in these killing and destructive arts. Great wisdom it will be in your lordships, and just providence for yourselves, for your posterities, for the whole kingdom, to cast from you into the fire, these bloody and mysterious volumes of arbitrary and constructive treasons, as the primitive Christians did their books of curious arts, and betake yourselves to the plain letter of the statute, which tells you where the crime is, and points out to you the path by which you may avoid it.

‘Let us not, to our own destruction, awake those sleeping lions, by rattling up a company of old records, which have lain for so many ages by the wall, forgotten and neglected. To all my afflictions, add not this, my lords, the most severe of any, that I, for my other sins, not for my treasons, be the means of introducing a precedent so pernicious to the laws and liberties of my native country.

‘However, these gentlemen at the bar say they speak for the commonwealth, and they believe so yet, under favour, it is I who, in this particular, speak for the commonwealth. Precedents like those which are endeavoured to be established against me must draw along such inconveniences and miseries that, in a few years, the kingdom will be in the condition expressed in a statute of Henry IV, and no man shall know by what rule to govern his words and actions.

‘Impose not, my lords, difficulties insurmountable upon ministers of state, nor disable them from serving with cheerfulness their king and

'country. If you examine them, and under such severe penalties, by every grain, by every little weight, the scrutiny will be intolerable. The public affairs of the kingdom must be left waste, and no wise man, who has any honour or fortune to lose, will ever engage himself in such dreadful, such unknown perils

'My lords, I have now troubled your lordships a great deal longer than I should have done. Were it not for the interest of these pledges, which a saint in heaven left me, I should be loth'—Here he pointed to his children, and his weeping stopped him—What I forfeit for myself, it is nothing, but, I confess, that my indiscretion should forfeit for them, it wounds me very deeply. You will be pleased to pardon my infirmity. something I should have said, but I see I shall not be able, and therefore I shall leave it

'And now, my lords, I thank God I have been, by His blessing, sufficiently instructed in the extreme vanity of all temporary enjoyments, compared to the importance of our eternal duration. And so, my lords, even so, with all humility, and with all tranquillity of mind, I submit, clearly and freely, to your judgments, and whether that righteous doom shall be to life or death, I shall repose myself, full of gratitude and confidence, in the aims of the great Author of my existence.' (Rush, vol iv, p 659, etc)

Certainly, says Whitlocke, (p 41) with his usual candour, 'never any man acted such a part, on such a theatre, with more wisdom, constancy, and eloquence, with greater reason, judgment, and temper, and with a better grace in all his words and actions, than did this great and excellent person, and he moved the hearts of all his auditors, some few excepted, to remorse and pity'. It is remarkable that the historian, who expresses himself in these terms, was himself chairman of that committee which conducted the impeachment against this unfortunate statesman. The accusation and defence lasted eighteen days. The managers divided the several articles among them, and attacked the prisoner with all the weight of authority, with all the vehemence of rhetoric, with all the accuracy of long preparation. Strafford was obliged to speak with deference and reserve towards his most inveterate enemies, the commons, the Scottish nation, and the Irish parliament. He took only a very short time, on each article, to recollect himself, yet he alone, without assistance, mixing modesty and humility with firmness and vigour, made such a defence that the commons saw it impossible, by a legal prosecution, ever to obtain a sentence against him.

But the death of Strafford was too important a stroke of party to be left unattempted by any expedient, however extraordinary. Besides the great genius and authority of that minister, he had threatened some of the popular leaders with an impeachment, and had he not himself been suddenly prevented by the impeachment of the commons, he had, that very day, it was thought, charged Pym, Hampden, and others, with treason, for having invited the Scots to invade England. A bill of attainder was therefore brought into the lower house immediately after finishing these pleadings, and preparatory to it, a new proof of the earl's guilt was produced, in order to remove such scruples as might be entertained with regard to a method of proceeding so unusual and irregular.

Sir Henry Vane, secretary, had taken some notes of a debate in council, after the dissolution of the last parliament, and being at a distance, he had sent the keys of his cabinet, as was pretended, to his son, Sir Henry, in order to search for some papers, which were necessary for completing a marriage settlement. Young Vane, falling upon this paper of notes, deemed the matter of the utmost importance, and immediately communicated it to Pym, who now produced the paper before the house of commons. The question before the council was 'Offensive or defensive war with the Scots.' The king proposes this difficulty, 'But how can I undertake offensive war, if I have no more money?' The answer ascribed to Strafford was in these words: 'Borrow of the city 100,000*l*, go on vigorously to levy ship-money. Your majesty having tried the affections of your people, you are absolved and loose from all rules of government, and may do what power will admit. Your majesty, having tried all ways, shall be acquitted before God and man. And you have an army in Ireland, which you may employ to reduce this kingdom to obedience, for I am confident the Scots cannot hold out five months.' There followed some counsels of Laud and Cottington, equally violent, with regard to the king's being absolved from all rules of government.¹

This paper, with all the circumstances of its discovery and communication, was pretended to be equivalent to two witnesses, and to be an unanswerable proof of those pernicious counsels of Strafford which tended to the subversion of the laws and constitution. It was replied by Strafford and his friends, that old Vane was his most inveterate and declared enemy, and if the secretary himself, as was by far most probable, had willingly delivered to his son this paper of notes, to be communicated to Pym, this implied such a breach of oaths and of trust as rendered him totally unworthy of all credit; that the secretary's deposition was at first exceedingly dubious, upon two examinations, he could not remember any such words, even the third time, his testimony was not positive, but imported only that Strafford had spoken such or such like words, and words may be very like in sound, and differ much in sense, nor ought the lives of men to depend upon grammatical criticisms of any expressions, much less of those which had been delivered by the speaker without premeditation, and committed by the hearer for any time, however short, to the uncertain record of memory. That, in the present case, changing 'this kingdom' into 'that kingdom,' a very slight alteration, the earl's discourse could regard nothing but Scotland, and implies no advice unworthy of an English councillor. That even retaining the expression, 'this kingdom,' the words may fairly be understood of Scotland, which alone was the kingdom that the debate regarded, and which alone had thrown off allegiance, and could be reduced to obedience. That it could be proved, as well by the evidence of all the king's ministers, as by the known disposition of the forces, that the intention never was to land the Irish army in England, but in Scotland. That of six other councillors present, Laud and Windebank could give no evidence, Northumberland, Hamilton, Cottington, and Juxon, could recollect no such expression, and the advice was too remarkable

¹ Clarendon, vol. 1, pp. 223, 229, 230, etc.; Whitlocke, p. 41, May, p. 93.

to be easily forgotten. That it was nowise probable such a desperate counsel would be openly delivered at the board, and before Northumberland, a person of that high rank, and whose attachments to the court were so much weaker than his connections with the country. That though Northumberland, and he alone, had recollected some such expression as that 'of being absolved from rules of government,' yet, in such desperate extremities as those into which the king and kingdom were then fallen, a maxim of that nature, allowing it to be delivered by Strafford, may be defended, upon principles the most favourable to law and liberty. And that nothing could be more iniquitous than to extract an accusation of treason from an opinion simply proposed at the council table, where all freedom of debate ought to be permitted, and where it was not unusual for the members, in order to draw forth the sentiments of others; to propose counsels very remote from their own secret advice and judgment (Rushworth, vol. iv., p. 560).

The evidence of Secretary Vane, though exposed to such insurmountable objections, was the real cause of Strafford's unhappy fate, and made the bill of the attainder pass the commons with no greater opposition than that of fifty-nine dissenting votes. But there remained two other branches of the legislature, the king and the lords, whose assent was requisite, and these, if left to their free judgment, it was easily foreseen, would reject the bill without scruple or deliberation. To overcome this difficulty, the popular leaders employed expedients, for which they were beholden, partly to their own industry, partly to the indiscretion of their adversaries.

Next Sunday after the bill passed the commons, the puritanical pulpits resounded with declamations concerning the necessity of executing justice upon great delinquents (Whitlocke, p. 43). The populace took the alarm. About 6000 men, armed with swords and cudgels, flocked from the city, and surrounded the houses of parliament (Idem, *ibid*). The names of the fifty-nine commoners who had voted against the bill of attainder were posted up under the title of 'Straffordians, and the betrayers of their country.' These were exposed to all the insults of the ungovernable multitude. When any of the lords passed, the cry for 'justice' against Strafford resounded in their ears and such as were suspected of friendship to that obnoxious minister were sure to meet with menaces not unaccompanied with symptoms of the most desperate resolutions in the furious populace (Clarendon, vol. i, pp. 232, 256, Rush, vol. v, pp. 248, 1279).

Complaints in the House of Commons being made against these violences as the most flagrant breach of privilege, the ruling members, by their affected coolness and indifference, showed plainly that the popular tumults were not disagreeable to them (Whitlocke, *ut supra*). But a new discovery, made about this time, served to throw everything into still greater flame and combustion.

Some principal officers, Percy, Jermyn, O'Neale, Goring, Wilmot, Pollard, Ashburnham, partly attached to the court, partly disgusted with the parliament, had formed a plan of engaging into the king's service the English army, whom they observed to be displeased at some marks of preference given by the commons to the Scots. For this

purpose, they entered into an association, took an oath of secrecy, and kept a close correspondence with some of the king's servants. The form of a petition to the king and parliament was concerted, and it was intended to get this petition subscribed by the army. The petitioners there represent the great and unexampled concessions made by the king for the security of public peace and liberty, the endless demands of certain insatiable and turbulent spirits, whom nothing less will content than a total subversion of the ancient constitution, the frequent tumults which these facts had excited, and which endangered the liberty of parliament. To prevent these mischiefs the army offered to come up and guard that assembly. 'So shall the nation,' as they express themselves in the conclusion, 'not only be vindicated from preceding innovations, but be secured from the future, which are threatened, and which are likely to produce more dangerous effects than the former' (Clarendon, vol 1, p 247. Whitlocke, p 43). The draught of this petition being conveyed to the king, he was prevailed on, somewhat impudently, to countersign it himself, as a mark of his approbation. But, as several difficulties occurred, the project was laid aside two months before any public discovery was made of it.

It was Goring who betrayed the secret to the popular leaders. The aim may easily be imagined which this intelligence conveyed. Petitions from the military to the civil power are always looked on as disguised or rather undisguised commands, and are of a nature widely different from petitions presented by any other rank of men. Pym opened the matter in the house (Rush, vol v, p 240). On the first intimation of a discovery, Percy concealed himself, and Jermyn withdrew beyond sea. This farther confirmed the suspicion of a dangerous conspiracy. Goring delivered his evidence before the house, Percy wrote a letter to his brother Northumberland, confessing most of the particulars (Idem, *ibid*, p 255). Both their testimonies agree with regard to the oath of secrecy; and as this circumstance had been denied by Pollard, Ashburnham, and Wilmot, in all their examinations, it was regarded as a new proof of some desperate resolutions which had been taken.

To convey more quickly the terror and indignation at this plot, the commons voted that a protestation should be signed by all the members. It was sent up to the lords, and signed by all except Southampton and Roberts. Orders were given by the commons alone, without other authority, that it should be subscribed by the whole nation. The protestation was in itself very inoffensive, even insignificant, and contained nothing but general declarations that the subscribers would defend their religion and liberties.¹ But it tended to increase the popular panic, and intimated, what was more expressly declared in the preamble, that these blessings were now exposed to the utmost peril.

Alarms were every day given of new conspiracies (Dugdale, p 69; Franklyn, p 901). In Lancashire great multitudes of Papists were assembling. secret meetings were held by them in caves and underground in Surrey: they entered into a plot to blow up the river with gunpowder, in order to drown the city (Sir Edw. Walker, p 349). provisions of arms were making beyond sea. sometimes France, sometimes Denmark, was forming designs against the kingdom, and the

¹ Clarendon, vol 1, p 252, Rush, vol v, p 241, Warwick, p 180.

populace, who are always terrified with present, and enraged with distant, dangers, were still further animated in their demands of justice against the unfortunate Strafford.

The king came to the House of Lords and though he expressed his resolution, for which he offered them any security, never again to employ Strafford in any branch of public business, he professed himself totally dissatisfied with regard to the circumstance of treason, and on that account declared his difficulty in giving his assent to the bill of attainder (Rushworth, vol. v, p. 239). The commons took fire, and voted it a breach of privilege for the king to take notice of any bill depending before the houses. Charles did not perceive that his attachment to Strafford was the chief motive for the bill, and that the greater proofs he gave of anxious concern for this minister, the more inevitable did he render his destruction.

About eighty peers had constantly attended Strafford's trial, but such apprehensions were entertained, on account of the popular tumults, that only forty-five were present when the bill of attainder was brought into the house. Yet of these, nineteen had the courage to vote against it (Whitlocke, p. 43) — a certain proof that, if entire freedom had been allowed, the bill had been rejected by a great majority.

In carrying up the bill to the lords, St. John, the solicitor-general, advanced two topics, well suited to the fury of the times: that though the testimony against Strafford were not clear, yet, in this way of bill, private satisfaction to each man's conscience was sufficient, even should no evidence at all be produced, and that the earl had no title to plead law, because he had broken the law. 'It is true,' added he, 'we give law to hares and deer, for they are beasts of chase. But it was never accounted either cruel or unfair to destroy foxes or wolves, wherever they can be found, for they are beasts of prey' (Clarendon, vol. 1, p. 232).

After popular violence had prevailed over the lords, the same battery was next applied to force the king's assent. The populace flocked about Whitehall, and accompanied their demand of justice with the loudest clamours and most open menaces. Rumours of conspiracies against the parliament were anew spread abroad, invasions and insurrections talked of, and the whole nation was raised into such a ferment, as threatened some great and imminent convulsion. On whichever side the king cast his eyes, he saw no resource or security. All his servants, consulting their own safety rather than their master's honour, declined interposing with their advice between him and his parliament. The queen, terrified with the appearance of so mighty a danger, and bearing formerly no goodwill to Strafford, was in tears, and pressed him to satisfy his people in this demand, which it was hoped would finally content them. Juxon alone, whose courage was not inferior to his other virtues, ventured to advise him, if, in his conscience he did not approve of the bill, by no means to assent to it (Ibid., p. 257, Waiwick, p. 160).

Strafford, hearing of Charles's irresolution and anxiety, took a very extraordinary step: he wrote a letter, in which he entreated the king, for the sake of public peace, to put an end to his unfortunate, however innocent, life, and to quiet the tumultuous people by granting them the request for which they were so importunate (Clarendon, vol. 1,

p. 258, Rush, vol v, p. 251) 'In this,' added he, 'my consent will more acquit you to God than all the world can do besides To a willing man there is no injury And as, by God's grace, I forgive all the world with a calmness and meekness of infinite contentment to my dislodging soul, so, sir, to you I can resign the life of this world with all imaginable cheerfulness, in the just acknowledgment of your exceeding favours' Perhaps Strafford hoped that this unusual instance of generosity would engage the king still more strenuously to protect him, perhaps he gave his life for lost, and finding himself in the hands of his enemies, and observing that Balfour, the lieutenant of the Tower, was devoted to the popular party (Whitlocke, p. 44; Franklyn, p. 896), he absolutely despaired of ever escaping the multiplied dangers with which he was every way environed We might ascribe this step to a noble effort of disinterestedness, not unworthy the great mind of Strafford, if the measure which he advised had not been, in the event, as pernicious to his master as it was immediately fatal to himself.¹

After the most violent anxiety and doubt, Charles at last granted a commission to four noblemen to give the royal assent, in his name, to the bill, flattering himself, probably, in this extremity of distress, that, as neither of them will consented to the deed, nor was his hand immediately engaged in it, he was the more free from all the guilt which attended it These commissioners he empowered, at the same time, to give his assent to the bill which rendered the parliament perpetual.

The commons, from policy rather than necessity, had embraced the expedient of paying the two armies by borrowing money from the city; and these loans they had repaid afterwards by taxes levied upon the people The citizens, either of themselves or by suggestion, began to start difficulties with regard to a further loan which was demanded. We make no scruple of trusting the parliament, said they, were we certain that the parliament were to continue till our repayment. But, in the present precarious situation of affairs, what security can be given us for our money? In pretence of obviating this objection, a bill was suddenly brought into the house, and passed with great unanimity and rapidity, that the parliament should not be dissolved, prorogued, or adjourned, without their own consent It was hurried in like manner through the House of Peers, and was instantly carried to the king for his assent Charles, in the agony of grief, shame, and remorse, for Strafford's doom, perceived not that this other bill was of still more fatal consequence to his authority, and rendered the power of his enemies perpetual, as it was already uncontrollable.² In com-

¹ Mr Carte, in his Life of the Duke of Ormond, has given us some evidence to prove, that this letter was entirely a forgery of the popular leaders, in order to induce the king to sacrifice Strafford He tells us that Strafford said so to his son, the night before his execution But there are some reasons why I adhere to the common way of telling this story. 1 The account of the forgery comes through several hands, and from men of characters not fully known to the public a circumstance which weakens every evidence It is a hearsay of a hearsay 2 It seems impossible, but young Lord Strafford must inform the king, who would not have failed to trace the forgery, and expose his enemies to their merited infamy 3 It is not to be conceived but Clarendon and Whitlocke, not to mention others, must have heard of the matter 4 Sir Geo Ratchiff, in his life of Strafford, tells the story the same way that Clarendon and Whitlocke do Would he also, who was Strafford's intimate friend, never have heard of the forgery? It is remarkable, that this life is dedicated or addressed to young Strafford Would not he have put Sir George right in so material and interesting a fact?

² Clarendon, vol 1, pp 261, 262, Rushworth, vol v, p 264

parison of the bill of attainder, by which he deemed himself an accomplice in his friend's murder, this concession made no figure in his eyes,¹ a circumstance which, if it lessen our idea of his resolution or penetration, serves to prove the integrity of his heart, and the goodness of his disposition. It is indeed certain that strong compunction for his consent to Strafford's execution attended this unfortunate prince during the remainder of his life, and even at his own fatal end, the memory of this guilt, with great sorrow and remorse, recurred upon him. All men were so sensible of the extreme violence which was done him, that he suffered the loss, both in character and interest, from this unhappy measure, and though he abandoned his best friend, yet was he still able to preserve in some degree the attachment of all his adherents.

Secretary Carleton was sent by the king to inform Strafford of the final resolution which necessity had extorted from him. The earl seemed surprised, and, starting up, exclaimed, in the words of Scripture, 'Put not your trust in princes, nor in the sons of men for in them there is no salvation' (Whitlocke, p. 44). He was soon able, however, to collect his courage, and he prepared himself to suffer the fatal sentence. Only three days' interval was allowed him. The king, who made a new effort in his behalf, and sent, by the hands of the young prince, a letter addressed to the peers, in which he entreated them to confer with the commons about a mitigation of Strafford's sentence, and begged at least for some delay, was refused in both requests (Rush, vol. v, p. 265).

Strafford, in passing from his apartment to Tower-hill, where the scaffold was erected, stopped under Laud's windows, with whom he had long lived in intimate friendship, and entreated the assistance of his prayers, in those awful moments which were approaching. The aged primate dissolved in tears, and having pronounced, with a broken voice, a tender blessing on his departing friend, sunk into the arms of his attendants (Nelson, vol. ii, p. 198). Strafford, still superior to his fate, moved on with an elated countenance, and with an air even of greater dignity than what usually attended him. He wanted that consolation which commonly supports those who perish by the stroke of injustice and oppression. He was not buoyed up by glory, nor by the affectionate compassion of the spectators, yet his mind, erect and undaunted, found resources within itself, and maintained its unbroken resolution, amidst the terrors of death, and the triumphant exultations of his misguided enemies. His discourse on the scaffold was full of decency and courage. 'He feared,' he said, 'that the omen was bad for the intended reformation of the state, that it commenced with the shedding of innocent blood.' Having bid a last adieu to his brother and friends who attended him, and having sent a blessing to his nearer relations who were absent, — 'And now,' said he, 'I have nigh done!'

¹ What made this bill appear of less consequence was, that the parliament voted tonnage and poundage for no longer a period than two months, as that branch was more than half of the revenue, and the government could not possibly subsist without it, it seemed indirectly in the power of the parliament to continue themselves as long as they pleased. This indeed was true in the ordinary administration of government, but on the approaches towards a civil war, which was not then foreseen, it had been of great consequence to the king to have reserved the right of dissolution, and to have endured any extremity rather than allow the continuance of the parliament.

'one stroke will make my wife a widow, my dear children fatherless, deprive my poor servants of their indulgent master, and separate me from my affectionate brother and all my friends! But let God be to you and them all in all!' Going to disrobe and prepare himself for the block, 'I thank God,' said he, 'that I am nowise afraid of death, nor am daunted with any terrors, but do as cheerfully lay down my head at this time as ever I did when going to repose!' With one blow was a period put to his life by the executioner (Rushworth, vol v, p 267)

Thus perished, in the 49th year of his age, the Earl of Strafford, one of the most eminent personages that has appeared in England. Though his death was loudly demanded as a satisfaction to justice, and an atonement for the many violations of the constitution, it may safely be affirmed that the sentence by which he fell was an enormity greater than the worst of those which his implacable enemies prosecuted with so much cruel industry. The people, in their rage, had totally mistaken the proper object of their resentment. All the necessities, or, more properly speaking, the difficulties, by which the king had been induced to use violent expedients for raising supply, were the result of measures previous to Strafford's favour, and if they arose from ill conduct, he, at least, was entirely innocent. Even those violent expedients themselves, which occasioned the complaint that the constitution was subverted, had been all of them conducted, so far as appeared, without his counsel or assistance. And whatever his private advice might be,¹ this salutary maxim he failed not, often and publicly, to inculcate in the king's presence, that, if any inevitable necessity ever obliged the sovereign to violate the laws, this licence ought to be practised with extreme reserve, and, as soon as possible, a just atonement to be made to the constitution for any injury which it might sustain from such dangerous precedents (Rushworth, vol iv, pp 567-570). The first parliament after the restoration reversed the bill of attainder, and even a few weeks after Strafford's execution, this very parliament remitted to his children the more severe consequences of his sentence: as if conscious of the violence with which the prosecution had been conducted.

In vain did Charles expect, as a return for so many instances of unbounded compliance, that the parliament would at last show him some indulgence, and would cordially fall into that unanimity to which, at the expense of his own power and of his friend's life, he so earnestly courted them. All his concessions were poisoned by their suspicion of his want of cordiality, and the supposed attempt to engage the army against them served with many as a confirmation of this jealousy. It was natural for the king to seek some resource while all the world seemed to desert him, or combine against him, and this probably was the utmost of that embryo scheme which was formed with regard to the army. But the popular leaders still insisted that a desperate plot was laid to bring up the forces immediately, and offer violence to the parliament; a design of which Percy's evidence acquits

¹ That Strafford was secretly no enemy to arbitrary counsels, appears from some of his letters and dispatches, particularly vol ii, p. 60, where he seems to wish that a standing army were established.

the king, and which the near neighbourhood of the Scottish army seems to render absolutely impracticable¹ By means, however, of these suspicions, was the same implacable spirit still kept alive, and the commons, without giving the king any satisfaction in the settlement of his revenue, proceeded to carry their inroads, with great vigour, into his now defenceless prerogative (Clarendon, vol 1, p 266)

The two ruling passions of this parliament were zeal for liberty and an aversion to the church, and to both of these nothing could appear more exceptionable than the court of high commission, whose institution rendered it entirely arbitrary, and assigned to it the defence of the ecclesiastical establishment The star-chamber also was a court which exercised high discretionary powers, and had no precise rule or limit, either with regard to the causes which came under its jurisdiction, or the decisions which it formed A bill unanimously passed the houses to abolish these two courts, and in them to annihilate the principal and most dangerous articles of the king's prerogative By the same bill, the jurisdiction of the council was regulated, and its authority abridged² Charles hesitated before he gave his assent But finding that he had gone too far to retreat, and that he possessed no resource in case of a rupture, he at last affixed the royal sanction to this excellent bill But to show the parliament that he was sufficiently apprised of the importance of his grant, he observed to them, that this statute altered in a great measure the fundamental laws, ecclesiastical and civil, which many of his predecessors had established (Rushworth, vol v, p 307)

By removing the star-chamber, the king's power of binding the people by his proclamations was indirectly abolished, and that important branch of prerogative, the strong symbol of arbitrary power, and unintelligible in a limited constitution, being at last removed, left the system of government more consistent and uniform The star-chamber alone was accustomed to punish infractions of the king's edicts, but as no courts of judicature now remained, except those in Westminster Hall, which take cognisance only of common and statute law, the king may thenceforth issue proclamations, but no man is bound to obey them 'It must however be confessed, that the experiment here made by the parliament was not a little rash and adventurous No government at that time appeared in the world, nor is perhaps to be found in the records of any history, which subsisted without the mixture of some arbitrary authority, committed to some magistrate; and it might reasonably beforehand appear doubtful, whether human society could ever reach that state of perfection, as to support itself with no other control than the general and rigid maxims of law and equity But the parliament justly thought that the king was too eminent a magistrate to be trusted with discretionary power, which he might so easily have turned to the destruction of liberty. And in

¹ The project of bringing up the army to London, according to Percy, was proposed to the king, but he rejected it as foolish, because the Scots, who were in arms, and lying in their neighbourhood, must be at London as soon as the English army This reason is so solid and convincing, that it leaves no room to doubt of the veracity of Percy's evidence, and consequently acquits the king of this terrible plot of bringing up the army, which made such a noise at the time, and was a pretence for so many violence.

² Idem, *ibid*, pp 283, 284, Whitlocke, p 47, Rushworth, vol iii, pp 1383, 1384.

the event it has hitherto been found that, though some sensible inconveniences arise from the maxim of adhering strictly to law, yet the advantages overbalance them, and should render the English grateful to the memory of their ancestors, who, after repeated contests, at last established that noble though dangerous principle

At the request of the parliament, Charles, instead of the patents during pleasure, gave all the judges patents during their good behaviour (May, p. 107) a circumstance of the greatest moment towards securing their independency, and barring the entrance of arbitrary power into the ordinary courts of judicature

The marshal's court, which took cognisance of offensive words, and was not thought sufficiently limited by law, was also for that reason abolished (Nelson, vol 1, p 778). The stannary courts, which exercised jurisdiction over the miners, being liable to a like objection, underwent a like fate. The abolition of the council of the north and the council of Wales followed from the same principles. The authority of the clerk of the market, who had a general inspection over the weights and measures throughout the kingdom, was transferred to the mayors, sheriffs, and ordinary magistrates

In short, if we take a survey of the transactions of this memorable parliament, during the first period of its operations, we shall find that, excepting Stafford's attainder, which was a complication of cruel iniquity, their merits in other respects so much outweigh their mistakes as to entitle them to praise from all lovers of liberty. Not only were former abuses remedied, and grievances redressed; great provision for the future was made by law against the return of like complaints. And if the means by which they obtained such advantages savour often of artifice, sometimes of violence, it is to be considered that revolutions of government cannot be effected by the mere force of argument and reasoning, and that factions being once excited, men can neither so firmly regulate the tempers of others, nor their own, as to ensure themselves against all exorbitancies

The parliament now came to a pause. The king had promised his Scottish subjects that he would this summer pay them a visit, in order to settle their government, and though the English parliament was very importunate with him that he should lay aside that journey, they could not prevail with him so much as to delay it. As he must necessarily in his journey have passed through the troops of both nations, the commons seem to have entertained great jealousy on that account, and to have now hurried on, as much as they formerly delayed, the disbanding of the armies. The arrears therefore of the Scots were fully paid them, and those of the English in part. The Scots returned home, and the English were (Aug 8th, 1641) separated into their several counties and dismissed

After this the parliament (Sept 9th) adjourned to Oct 20th; and a committee of both houses, a thing unprecedented, was appointed to sit during the recess, with very ample powers (Rushworth, vol. v., p. 387). Pym was elected chairman of the committee of the lower house. Further attempts were made by the parliament while it sat, and even by the commons alone, for assuming sovereign executive powers, and publishing their ordinances, as they called them, instead of laws. The committee too, on their part, was ready to imitate the example.

A small committee of both houses was appointed to attend the king into Scotland, in order, as was pretended, to see that the articles of pacification were executed, but really to be spies upon him, and extend still further the ideas of parliamentary authority, as well as eclipse the majesty of the king. The Earl of Bedford, Lord Howard, Sir Philip Stapleton, Sir William Armyne, Fiennes, and Hampden, were the persons chosen (Rushworth, p. 376).

Endeavours were used before Charles's departure, to have a protector of the kingdom appointed, with a power to pass laws without having recourse to the king. So little regard was now paid to royal authority, or to the established constitution of the kingdom.

Amidst the great variety of affairs which occurred during this busy period, we have almost overlooked the marriage of the Princess Mary with William, Prince of Orange. The king concluded not this alliance without communicating his intentions to the parliament, who received the proposal with satisfaction (Whitlocke, p. 38). This was the commencement of the connections with the family of Orange, connections which were afterwards attended with the most important consequences, both to the kingdom and to the house of Stuart.

CHAPTER LV.

Settlement of Scotland—Conspiracy in Ireland—Insurrection and massacre—Meeting of the English parliament—The remonstrance—Reasons on both sides—Impeachment of the bishops—Accusation of the five members—Tumults—King leaves London—Arrives in York—Preparations for civil war

THE Scots, who began these fatal commotions, thought that they had finished a very perilous undertaking, much to their profit and reputation. Besides the large pay voted them for lying in good quarters during a twelvemonth, the English parliament had conferred on them a present of 300,000*l* for their brotherly assistance (Nelson, vol. 1, p. 747, May, p. 104). In the articles of pacification they were declared to have ever been good subjects, and their military expeditions were approved of, as enterprises calculated and intended for his majesty's honour and advantage. To carry farther the triumph over their sovereign, these terms, so ignominious to him, were ordered by a vote of parliament to be read in all churches, upon a day of thanksgiving, appointed for the national pacification,¹ all their claims for the restitution of prerogative were agreed to be ratified, and, what they more valued than all these advantages, they had a near prospect of spreading the presbyterian discipline in England and Ireland from the seeds which they had scattered of their religious principles. Never did refined Athens so exult in diffusing the sciences and liberal arts over a savage world, never did generous Rome so please herself in the view of law and order established by her victorious arms, as the Scots now rejoiced in communicating their barbarous zeal and theological fervour to the neighbouring nations.

¹ Rushworth, vol. v, p. 365, Clarendon, vol. II, p. 293.

Charles, despoiled in England of a considerable part of his authority, and dreading still further encroachments upon him (Aug 14) arrived in Scotland, with an intention of abdicating almost entirely the small share of power which there remained to him, and of giving full satisfaction, if possible, to his restless subjects in that kingdom

The lords of articles were an ancient institution in the Scottish parliament. They were constituted after this manner. the temporal lords chose eight bishops; the bishops elected eight temporal lords, these sixteen named eight commissioners of counties and eight burghs, and without the previous consent of the thirty-two, who were denominated lords of articles, no motion could be made in parliament. As the bishops were entirely devoted to the court, it is evident that all the lords of articles, by necessary consequence, depended on the king's nomination, and the prince, beside one negative after the bills had passed through parliament, possessed indirectly another before their introduction a prerogative of much greater consequence than the former. The bench of bishops being now abolished, the parliament laid hold of the opportunity, and totally set aside the lords of articles, and till this important point was obtained, the nation, properly speaking, ~~could not~~ be said to enjoy any regular freedom (Burnet, Mem).

It is remarkable that, notwithstanding this institution, to which there was no parallel in England, the royal authority was always deemed much lower in Scotland than in the former kingdom. Bacon represents it as one advantage to be expected from the union, that the too extensive prerogative of England would be abridged by the example of Scotland, and the too narrow prerogative of Scotland be enlarged from the imitation of England. The English were, at that time, a civilized people, and obedient to the laws, but among the Scots it was of little consequence how the laws were framed, or by whom voted, while the exorbitant aristocracy had it so much in their power to prevent their regular execution.

The peers and commons formed only one house in the Scottish parliament, and as it had been the practice of James, continued by Charles, to grace English gentlemen with Scottish titles, all the determinations of parliament, it was to be feared, would in time depend upon the prince, by means of these votes of foreigners who had no interest or property in the nation. It was therefore a law deserving approbation, that no man should be created a Scottish peer who possessed not 10,000 marks (above 500*l*.) of annual rent in the kingdom (Burnet, Mem).

A law for triennial parliaments was likewise passed, and it was ordained that the last act of every parliament should be to appoint the time and place for holding the parliament next ensuing (Idem, *ibid*.)

The king was deprived of that power, formerly exercised, of issuing proclamations which enjoined obedience under the penalty of treason—a prerogative which invested him with the whole legislative authority, even in matters of the highest importance (Idem, *ibid*.)

So far was laudable, but the most fatal blow given to royal authority, and what in a manner dethroned the prince, was the article, that no member of the privy council, in whose hands, during the king's absence, the whole administration lay no officer of state, none of the

judges, should be appointed but by advice and approbation of parliament. Charles even agreed to deprive of their seats four judges who had adhered to his interests, and their place was supplied by others more agreeable to the ruling party. Several of the covenanters were also sworn of the privy council. And all the ministers of state, councillors, and judges were, by law, to hold their places during life or good behaviour (Burnet, Mem.)

The king, while in Scotland, conformed himself entirely to the established church, and assisted, with great gravity, at the long prayers and longer sermons with which the presbyterians endeavoured to regale him. He bestowed pensions and preferments on Henderson, Gillespie, and other popular preachers; and practised every art to soften, if not to gain, his greatest enemies. The Earl of Argyle was created a marquis, Lord Loudon an earl, Lesley was distinguished with the title of Earl of Leven (Clarendon, vol. II, p. 309). His friends he was obliged, for the present, to neglect and overlook, some of them were disgusted, and his enemies were not reconciled, but ascribed all his caresses and favours to artifice and necessity.

Argyle and Hamilton, being seized with an apprehension, real or pretended, that the Earl of Crawford and others meant to assassinate them, left the parliament suddenly, and retired into the country, but upon invitation and assurances returned in a few days. This event, which had neither cause nor effect that was visible, nor purpose, nor consequence, was commonly denominated 'the Incident'. But though the 'Incident' had no effect in Scotland, what was not expected, it was attended with consequences in England. The English parliament, which was (Oct. 20) now assembled, being willing to awaken the people's tenderness by exciting their fears, immediately took the alarm; as if the malignants,—so they called the king's party,—had laid a plot at once to murder them and all the godly in both kingdoms. They applied therefore to Essex, whom the king had left general in the south of England, and he ordered a guard to attend them.¹

But while the king was employed in pacifying the commotions in Scotland, and was preparing to return to England, in order to apply himself to the same salutary work in that kingdom, he received intelligence of a dangerous rebellion broken out in Ireland, with circumstances of the utmost horror, bloodshed, and devastation. On every side this unfortunate prince was pursued with murmurs, discontents, faction, and civil wars, and the fire from all quarters, even by the most independent accidents, at once blazed up about him.

The great plan of James in the administration of Ireland, continued by Charles, was, by justice and peace, to reconcile that turbulent people to the authority of laws, and, introducing art and industry among them, to cure them of that sloth and barbarism to which they had ever been subject. In order to serve both these purposes, and at the same time secure the dominion of Ireland to the English crown, great colonies of British had been carried over, and, being intermixed with the Irish, had everywhere introduced a new face of things into that country. During a peace of near forty years, the

¹ Whitlocke, p. 40. Dugdale, p. 72. Burnet's Mem. of the House of Hamilton, pp. 184, 185. Clarendon, p. 299.

inveterate quarrels between the nations seemed, in a great measure, to be obliterated, and though much of the landed property, forfeited by rebellion, had been conferred on the new planters, a more than equal return had been made, by their instructing the natives in tillage, building, manufactures, and all the civilized arts of life (Sir John Temple's *Irish Rebellion*, p 12) This had been the course of things during the successive administrations of Chichester, Grandison, Falkland, and, above all, of Strafford Under the government of this latter nobleman, the pacific plans, now come to greater maturity, and forwarded by his vigour and industry, seemed to have operated with full success, and to have bestowed at last on that savage country the face of a European settlement

After Strafford fell a victim to popular rage, the humours excited in Ireland by that great event could not suddenly be composed, but continued to produce the greatest innovations in the government

The British protestants, transplanted into Ireland, having every moment before their eyes all the horrors of popery, had naturally been carried into the opposite extreme, and had universally adopted the highest principles and practices of the puritans Monachy, as ~~the~~ the hierarchy, was become odious to them, and every method of limiting the authority of the crown, and detaching themselves from the King of England, was greedily adopted and pursued They considered not that, as they scarcely formed the sixth part of the people, and were secretly obnoxious to the ancient inhabitants, their only method of supporting themselves was by maintaining royal authority, and preserving a great dependence on their mother country. The English commons, likewise, in their furious prosecution of Strafford, had overlooked the most obvious consequences, and, while they imputed to him as a crime every discretionary act of authority, they despoiled all succeeding governors of that power by which alone the Irish could be retained in subjection And so strong was the current for popular government in all the three kingdoms, that the most established maxims of policy were everywhere abandoned in order to gratify this ruling passion

Charles, unable to resist, had been obliged to yield to the Irish, as to the Scottish and English parliaments, and found too that their encroachments still rose in proportion to his concessions Those subsidies, which themselves had voted, they reduced by a subsequent vote to a fourth part the court of high commission was determined to be a grievance, martial law abolished, the jurisdiction of the council annihilated, proclamations and acts of state declared of no authority, every order or institution which depended on monarchy was invaded, and the prince was despoiled of all his prerogative, without the least pretext of any violence or illegality in his administration

The standing army of Ireland was usually about 3000 men; but in order to assist the king in suppressing the Scottish covenanters, Strafford had raised 8000 more, and had incorporated with them a thousand men, drawn from the old army a necessary expedient for bestowing order and discipline on the new levied soldiers. The private men in this army were all catholics, but the officers, both commis-

sioned and non-commissioned, were protestants, and could entirely be depended on by Charles. The English commons entertained the greatest apprehensions on account of this army, and never ceased soliciting the king till he agreed to break it: nor would they consent to any proposal for augmenting the standing army to 5000 men, a number which the king deemed necessary for retaining Ireland in obedience.

Charles, thinking it dangerous that 8000 men, accustomed to idleness, and trained to the use of arms, should be dispersed among a nation so turbulent and unsettled, agreed with the Spanish ambassador to have them transported into Flanders, and enlisted in his master's service. The English commons, pretending apprehensions lest regular bodies of troops, disciplined in the Low Countries, should prove still more dangerous, showed some aversion to this expedient, and the king reduced his allowance to 4000 men. But when the Spaniards had hired ships for transporting their troops, and the men were ready to embark, the commons, willing to show their power, and not displeased with an opportunity of curbing and affronting the king, prohibited every one from furnishing vessels for that service. And thus the project, formed by Charles, of freeing the country from these men, was unfortunately disappointed.¹

The old Irish remarked all these false steps of the English, and resolved to take advantage of them. Though their animosity against that nation, for want of an occasion to exert itself, seemed to be extinguished, it was only composed into a temporary and deceitful tranquillity (Temple, p. 14). Their interests, both with regard to property and religion, secretly stimulated them to a revolt. No individual of any sept, according to the ancient customs, had the property of any particular estate; but as the whole sept had a title to a whole territory, they ignorantly preferred this barbarous community before the more secure and narrower possessions assigned them by the English. An indulgence, amounting almost to a toleration, had been given to the catholic religion, but so long as the churches and the ecclesiastical revenues were kept from the priests, and they were obliged to endure the neighbourhood of profane heretics, being themselves discontented, they continually endeavoured to retard any cordial reconciliation between the English and the Irish nations.

There was a gentleman called Roger More, who, though of a narrow fortune, was descended from an ancient Irish family, and was much celebrated among his countrymen for valour and capacity. This man first formed the project of expelling the English, and asserting the independency of his native country (Nelson, vol. 11, p. 543). He secretly went from chieftain to chieftain, and roused up every latent principle of discontent. He maintained a close correspondence with Lord Maguire and Sir Phelim O'Neil — the most powerful of the old Irish. By conversation, by letters, by his emissaries, he represented to his countrymen the motives of a revolt. He observed to them, that by the rebellion of the Scots, and factions of the English, the king's authority in Britain was reduced to so low a condition, that he never

¹ Clarendon, vol. 1, p. 281; Rushworth, vol. v, p. 381; Dugdale, p. 75, May, book 11, p. 3

could exert himself with any valour in maintaining the English dominion in Ireland that the catholics, in the Irish House of Commons, assisted by the protestants, had so diminished the royal prerogative and the power of the lieutenant, as would much facilitate the conducting to its desired effect any conspiracy or combination which could be formed that the Scots, having so successfully thrown off dependence on the crown of England, and assumed the government into their own hands, had set an example to the Irish, who had so much greater oppressions to complain of that the English planters, who had expelled them their possessions, suppressed their religion, and bereaved them of their liberties, were but a handful in comparison of the natives that they lived in a most supine security, interspersed with their numerous enemies, trusting to the protection of a small army, which was itself scattered in inconsiderable divisions throughout the whole kingdom that a great body of men, disciplined by the government, were now thrown loose, and were ready for any daring or desperate enterprise that though the catholics had hitherto enjoyed, in some tolerable measure, the exercise of their religion, from the moderation of their indulgent prince, they must henceforth expect that the government will be conducted by other maxims and other principles that the puritanical parliament, having at length subdued their sovereign, would, no doubt, as soon as they had consolidated their authority, extend their ambitious enterprises to Ireland, and make the catholics in that kingdom feel the same furious persecution to which their brethren in England were at present exposed. and that a revolt in the Irish, tending only to vindicate their native liberty against the violence of foreign invaders, could never, at any time, be deemed rebellion, much less during the present confusions, when their prince was, in a manner, a prisoner, and obedience must be paid, not to him, but to those who had traitorously usurped his lawful authority (Temple, p 72, 73, 78, Dugdale, p 73)

By these considerations, More engaged all the heads of the native Irish into the conspiracy The English of the pale, as they were called, or the old English planters, being all catholics, it was hoped, would afterwards join the party which restored their religion to its ancient splendour and authority The intention was, that Sir Phelim O'Neil and the other conspirators should begin an insurrection on one day, throughout the provinces, and should attack all the English settlements, and that, on the same day, Lord Maguire and Roger More should surprise the castle of Dublin. The commencement of the revolt was fixed on the approach of winter, that there might be more difficulty in transporting forces from England Succours to themselves and supplies of arms they expected from France, in consequence of a promise made them by Cardinal Richelieu. And many Irish officers, who served in the Spanish troops, had engaged to join them, as soon as they saw an insurrection entered upon by their catholic brethren News, which every day arrived from England, of the fury expressed by the commons against all papists, struck fresh terror into the Irish nation, and both stimulated the conspirators to execute their fatal purpose, and gave them assured hopes of the concurrence of all their countrymen (Dugdale, p. 74).

Such propensity to a revolt was discovered in all the Irish, that it was deemed unnecessary, as it was dangerous, to entrust the secret to many hands, and the appointed day drew nigh, nor had any discovery been yet made to the government. The king indeed had received information from his ambassadors, that something was in agitation among the Irish in foreign parts, but though he gave warning to the administration in Ireland, the intelligence was entirely neglected (Rushworth, vol v, p 408, Nalson, vol 11, p 565). Secret rumours likewise were heard of some approaching conspiracy, but no attention was paid to them. The Earl of Leicester, whom the king had appointed lieutenant, remained in London. The two justices, Sir William Parsons and Sir John Borlase, were men of small abilities, and, by an inconvenience common to all factious times, owed their advancement to nothing but their zeal for the party by whom everything was now governed. Tranquil from their ignorance and inexperience, these men indulged themselves in the most profound repose on the very brink of destruction.

But they were awakened from their security on the very day before that which was appointed for the commencement of hostilities. The castle of Dublin, by which the capital was commanded, contained arms for 10,000 men, with thirty-five pieces of cannon, and a proportionable quantity of ammunition: yet was this important place guarded, and that too without any care, by no greater force than fifty men. Maguire and More were already in town with a numerous band of their partisans, others were expected that night, and, next morning, they were to enter upon what they esteemed the easiest of all enterprises, the surprisal of the castle. O'Conolly, an Irishman, but a protestant, betrayed the conspiracy to Parsons.¹ The justices and council fled immediately for safety into the castle, and reinforced the guards. The alarm was conveyed to the city, and all the protestants prepared for defence. More escaped, Maguire was taken; and Mahone, one of the conspirators, being likewise seized, first discovered to the justices the project of a general insurrection, and redoubled the apprehensions which already were universally diffused throughout Dublin (Temple, pp 17, 18, 19, 20, Rush, vol v, p 400).

But though O'Conolly's discovery saved the castle from a surprise, the confession extorted from Mahone came too late to prevent the intended insurrection. O'Neil and his confederates had already taken arms in Ulster. The Irish, everywhere intermingled with the English, needed but a hint from their leaders and priests to begin hostilities against a people whom they hated on account of their religion, and envied for their riches and prosperity (Temple, pp 39, 40, 79). The houses, cattle, goods, of the unwary English were first seized. Those who heard of the commotions in their neighbourhood, instead of deserting their habitations, and assembling for mutual protection, remained at home, in hopes of defending their property, and fell thus separately into the hands of their enemies (Idem, p 42). After rapacity had fully exerted itself, cruelty, and the most barbarous that ever, in any nation, was known or heard of, began its operations. A universal massacre commenced of the English, now defenceless and

¹ Rushworth, vol v, p 399, Nalson, vol 11, p 520, May, book 11, p 6

passively resigned to their inhuman foes. No age, no sex, no condition was spared. The wife weeping for her butchered husband, and embracing her helpless children, was pierced with them, and perished by the same stroke (Temple, p. 40). The old, the young, the vigorous, the infirm, underwent a like fate, and were confounded in one common ruin. In vain did flight save them from the first assault: destruction was everywhere let loose, and met the hunted victims at every turn. In vain was recourse had to relations, to companions, to friends: all connections were dissolved, and death was dealt by that hand from which protection was implored and expected. Without provocation, without opposition, the astonished English, living in profound peace and full security, were massacred by their nearest neighbours, with whom they had long upheld a continued intercourse of kindness and good offices (Idem, pp. 39, 40).

But death was the slightest punishment inflicted by those rebels: all the tortures which wanton cruelty could devise, all the lingering pains of body, the anguish of mind, the agonies of despair, could not satiate revenge excited without injury, and cruelty derived from no cause. To enter into particulars would shock the least delicate humanity. Such ~~circumstances~~, though attested by undoubted evidence, appear almost incredible. Depraved nature, even perverted religion, encouraged by the utmost licence, reach not to such a pitch of ferocity, unless the pity, inherent in human breasts, be destroyed by that contagion of example which transports men beyond all the usual motives of conduct and behaviour.

The weaker sex themselves, naturally tender to their own sufferings, and compassionate to those of others, here emulated their more robust companions in the practice of every cruelty (Temple, pp. 96, 101, Rush, vol. v., p. 415). Even children, taught by the example and encouraged by the exhortation of their parents, essayed their feeble blows on the dead carcases or defenceless children of the English (Temple, p. 100). The very avance of the Irish was not a sufficient restraint to their cruelty. Such was their frenzy, that the cattle which they had seized, and by rapine made their own, yet because they bore the name of English were wantonly slaughtered, or, when covered with wounds, turned loose into the woods and deserts (Idem, p. 84). The stately buildings or commodious habitations of the planters, as if upbraiding the sloth and ignorance of the natives, were consumed with fire, or laid level with the ground. And where the miserable owners, shut up in their houses, and preparing for defence, perished in the flames, together with their wives and children, a double triumph was afforded to their insulting foes (Idem, pp. 99, 106, Rushworth, vol. v., p. 414).

If anywhere a number assembled together, and assuming courage from despair were resolved to sweeten death by revenge on their assassins, they were disarmed by capitulations and promises of safety, confirmed by the most solemn oaths. But no sooner had they surrendered, than the rebels, with perfidy equal to their cruelty, made them share the fate of their unhappy countrymen (Whitlocke, p. 47, Rush, vol. v., p. 416).

Others, more ingenious still in their barbarity, tempted their prisoners

by the fond love of life to imbrue their hands in the blood of friends, brothers, parents, and having thus rendered them accomplices in guilt, gave them that death which they sought to shun by deserving it (Temple, p. 100)

Amidst all these enormities, the sacred name of RELIGION resounded on every side, not to stop the hands of these murderers, but to enforce their blows, and to steel their hearts against every movement of human or social sympathy. The English, as heretics, abhorred of God, and detestable to all holy men, were marked out by the priests for slaughter; and, of all actions, to rid the world of these declared enemies to catholic faith and piety was represented as the most meritorious (Idem, pp. 85, 106). Nature which, in that rude people, was sufficiently inclined to atrocious deeds, was further stimulated by precept, and national prejudices empoisoned by those aversions, more deadly and incurable, which arose from an enraged superstition. While death finished the sufferings of each victim, the bigoted assassins, with joy and exultation, still echoed in his expiring ears that these agonies were but the commencement of torments infinite and eternal (Idem, pp. 94, 197, 108; Rushworth, vol. v, p. 407).

Such were the barbarities by which Sir Phelim O'Neil and the Irish in Ulster signalled their rebellion, an event memorable in the annals of human kind, and worthy to be held in perpetual detestation and abhorrence. The generous nature of More was shocked at the recital of such enormous cruelties. He flew to O'Neil's camp, but found that his authority, which was sufficient to excite the Irish to an insurrection, was too feeble to restrain their inhumanity. Soon after, he abandoned a cause polluted by so many crimes, and he retired into Flanders. Sir Phelim, recommended by the greatness of his family, and perhaps too by the unrestrained brutality of his nature, though without any courage or capacity, acquired the entire ascendant over the northern rebels (Temple, p. 44). The English colonies were totally annihilated in the open country of Ulster. The Scots at first met with more favourable treatment. In order to engage them to a passive neutrality, the Irish pretended to distinguish between the British nations, and claiming friendship and consanguinity with the Scots, extended not over them the fury of their massacres. Many of them found an opportunity to fly the country. Others retired into places of security, and prepared themselves for defence, and by this means the Scottish planters, most of them at least, escaped with their lives (Idem, p. 41, Rush, vol. 1, p. 416).

From Ulster, the flames of rebellion diffused themselves, in an instant, over the other three provinces of Ireland. In all places death and slaughter were not uncommon, though the Irish, in these other provinces, pretended to act with moderation and humanity. But cruel and barbarous was their humanity! Not content with expelling the English from their houses, with despoiling them of their goodly manors, with wasting their cultivated fields, they stripped them of their very clothes, and turned them out naked, and defenceless, to all the severities of the season (Temple, p. 42). The heavens themselves, as if conspiring against that unhappy people, were aimed with cold and tempest unusual to the climate, and executed what the merciless

sword had left unfinished (Temple, p 64) The roads were covered with crowds of naked English, hastening towards Dublin and the other cities which yet remained in the hands of their countrymen The feeble age of children, the tender sex of woman, soon sunk under the multiplied rigours of cold and hunger Here the husband, bidding a final adieu to his expiring family, envied them that fate which he himself expected so soon to share there, the son, having long supported his aged parent, with reluctance obeyed his last commands, and abandoning him in this uttermost distress, reserved himself to the hopes of avenging that death which all his efforts could not prevent or delay The astonishing greatness of the calamity deprived the sufferers of any relief from the view of companions in affliction With silent tears, or lamentable cries, they hurried on through the hostile territories, and found every heart which was not steeled by native barbarity, guarded by the more implacable furies of mistaken piety and religion (Idem, p 88)

The saving of Dublin preserved in Ireland the remains of the English name The gates of that city, though timorously opened, received the wretched supplicants, and presented to the view a scene of human misery beyond what any eye had ever before beheld (Idem, p 67) Compassion seized the amazed inhabitants, aggravated with the fear of like calamities, while they observed the numerous foes without and within, which everywhere environed them, and reflected on the weak resources by which they were themselves supported. The more vigorous of the unhappy fugitives, to the number of 3000, were enlisted into three regiments, the rest were distributed into the houses, and all care was taken, by diet and warmth, to recruit their feeble and torpid limbs Diseases of unknown name and species, derived from these multiplied distresses, seized many of them, and put a speedy period to their lives others, having now leisure to reflect on their mighty loss of friends and fortune, cursed that being which they had saved Abandoning themselves to despair, refusing all succour, they expired without other consolation than that of receiving among their countrymen the honours of a grave which, to their slaughtered companions, had been denied by the inhuman barbarians (Idem, pp 43, 62)

By some computations, those who perished by all their cruelties are supposed to be 150,000, or 200,000 by the most moderate, and probably the most reasonable account, they are made to amount to 40,000, if this estimation itself be not, as is usual in such cases, somewhat exaggerated

The justices ordered to Dublin all the bodies of the army which were not surrounded by the rebels, and they assembled a force of 1500 veterans They soon enlisted, and armed from the magazines above 4000 men more They despatched a body of 600 men to throw relief into Tredah, besieged by the Irish But these troops, attacked by the enemy, were seized with a panic, and were most of them put to the sword Their arms, falling into the hands of the Irish, supplied them with what they most wanted (Nelson, vol. II, p 905) The justices, willing to foment the rebellion, in a view of profiting by the multiplied forfeitures, henceforth thought of nothing more

than providing for their own present security and that of the capital. The Earl of Ormond, their general, remonstrated against such timid, not to say base and interested counsels, but was obliged to submit to authority.

The English of the pale, who probably were not at first in the secret, pretended to blame the insurrection, and to detest the barbarity with which it was accompanied (Temple, p 33, Rushworth, vol. v., p 402). By their protestations and declarations, they engaged the justices to supply them with arms, which they promised to employ in defence of the government (Temple, p 60, Borlase, Hist. p. 28). But in a little time, the interests of religion were found more prevalent over them than regard and duty to their mother country. They chose Lord Gormanston their leader, and, joining the old Irish, rivalled them in every act of violence towards the English protestants. Besides many smaller bodies dispersed over the kingdom, the principal army of the rebels amounted to 20,000 men, and threatened Dublin with an immediate siege (Whitlocke, *ibid.*, p 49).

Both the English and Irish rebels conspired in one imposture with which they seduced many of their deluded countrymen, they pretended authority from the king and queen, but chiefly from the ~~king~~, for their insurrection, and they affirmed that the cause of their taking arms was to vindicate royal prerogative, now invaded by the puritanical parliament (Rushworth, vol. v., pp 400, 401). Sir Phelim O Neil, having found a royal patent in Lord Caulfield's house, whom he had murdered, tore off the seal, and affixed it to a commission, which he had forged for himself (*Idem, ibid.*, p 402).

The king received an account of this insurrection by a messenger despatched from the north of Ireland. He immediately communicated his intelligence to the Scottish parliament. He expected that the mighty zeal, expressed by the Scots for the protestant religion, would immediately engage them to fly to its defence, where it was so violently invaded, he hoped that their horror against popery—a religion which now appeared in its most horrible aspect—would second all his exhortations, he had observed with what alacrity they had twice run to arms, and assembled troops in opposition to the rights of their sovereign, he saw with how much greater facility they could now collect forces, which had been very lately disbanded, and which had been so long inured to military discipline. The cries of their affrighted and distressed brethren in Ireland, he promised himself, would powerfully incite them to send over succours, which could arrive so quickly, and aid them with such promptitude in this uttermost distress. But the zeal of the Scots, as is usual among religious sects, was very feeble, when not stimulated either by faction or by interest. They now considered themselves entirely as a republic, and made no account of the authority of their prince, which they had utterly annihilated. Conceiving hopes from the present distresses of Ireland, they resolved to make an advantageous bargain for the succours with which they should supply their neighbouring nation. And they cast their eye towards the English parliament, with whom they were already so closely connected, and who could alone fulfil any articles which might be agreed on. Except despatching a small body to support the

Scottish colonies in Ulster, they would therefore go no farther at present than sending commissioners to London, in order to treat with that power to whom the sovereign authority was now in reality transferred (Rushworth, vol v, p 407)

The king too, sensible of his utter inability to subdue the Irish rebels, found himself obliged, in this exigency, to have recourse to the English parliament, and depend on their assistance for supply After communicating to them the intelligence which he had received, he informed them that the insurrection was not, in his opinion, the result of any rash enterprise, but of a formed conspiracy against the crown of England. To their care and wisdom therefore, he said, he committed the conduct and prosecution of the war, which, in a cause so important to national and religious interests, must of necessity be immediately entered upon and vigorously pursued (Clarendon, vol ii, p 301)

The English parliament was now assembled, and discovered, in every vote, the same dispositions in which they had separated The exalting of their own authority, the diminishing of the king's, were still the objects pursued by the majority Every attempt which had been made to gain the popular leaders, and by offices to attach them to the crown, had failed of success, either for want of skill in conducting it, or by reason of the slender preferments which it was then in the king's power to confer The ambitious and enterprising patriots disdained to accept, in detail, of a precarious power, while they deemed it so easy, by one bold and vigorous assault, to possess themselves for ever of the entire sovereignty Sensible that the measures which they had hitherto pursued rendered them extremely obnoxious to the king, were many of them in themselves exceptionable, some of them strictly speaking illegal, they resolved to seek their own security, as well as greatness, by enlarging popular authority in England. The great necessities to which the king was reduced, the violent prejudices which generally, throughout the nation, prevailed against him, his facility in making the most important concessions, the examples of the Scots, whose encroachments had totally subverted monarchy all these circumstances further instigated the commons in their invasion of royal prerogative And the danger to which the constitution seemed to have been so lately exposed persuaded many that it never could be sufficiently secured, but by the entire abolition of that authority which had invaded it

But this project it had not been in the power, scarcely in the intention, of the popular leaders to execute, had it not been for the passion which seized the nation for presbyterian discipline, and for the wild enthusiasm which at that time accompanied it The licence which the parliament had bestowed on this spirit by checking ecclesiastical authority, the countenance and encouragement with which they had honoured it, had already diffused its influence to a wonderful degree, and all orders of men had drunk deep of the intoxicating poison In every discourse or conversation, this mode of religion entered, in all business it had a share; every elegant pleasure or amusement it utterly annihilated, many vices or corruptions of mind it promoted; even diseases and bodily distempers were not totally

exempted from it; and it became requisite, we are told, for all physicians to be expert in the spiritual profession, and by theological considerations to allay those religious terrors with which their patients were so generally haunted. Learning itself, which tends so much to enlarge the mind, and humanise the temper, rather served on this occasion to exalt that epidemical frenzy which prevailed. Rude as yet, and imperfect, it supplied the dismal fanaticism with a variety of views, founded it on some coherency of system, enriched it with different figures of elocution, advantages with which a people, totally ignorant and barbarous, had been happily unacquainted.

From policy at first, and inclination, now from necessity, the king attached himself extremely to the hierarchy for like reasons his enemies were determined, by one and the same effort, to overpower the church and monarchy.

While the commons were in this disposition, the Irish rebellion was the event which tended most to promote the views in which all their measures terminated. A horror against the papists, however innocent, they had constantly encouraged, a terror from the conspiracies of that sect, however improbable, they had at all times endeavoured to excite. Here was broken out a rebellion, dreadful and unexpected; accompanied with circumstances the most detestable of which there ever was any record, and what was the peculiar guilt of the Irish catholics, it was no difficult matter, in the present disposition of men's minds, to attribute to that whole sect, who were already so much the object of general abhorrence. Accustomed, in all invectives, to join the prelatical party with the papists, the people immediately supposed this insurrection to be the result of their united counsels. And when they heard that the Irish rebels pleaded the king's commission for all their acts of violence, bigotry, ever credulous and malignant, assented without scruple to that gross imposture, and loaded the unhappy prince with the whole enormity of a contrivance so barbarous and inhuman.¹

¹ It is now so universally allowed, notwithstanding some muttering to the contrary, that the king had no hand in the Irish Rebellion, that it will be superfluous to insist on a point which seems so clear. I shall only suggest a very few arguments, among an infinite number which occur. (1) Ought the affirmation of perfidious, infamous rebels ever to have passed for any authority? (2) Nobody can tell us what the words of the pretended commission were. That commission which we find in Rushworth, vol. v, p. 400, and in Milton's Works, Toland's edition, is plainly an imposture, because it pretends to be dated in Oct., 1641, yet mentions facts which happened not till some months after. It appears that the Irish rebels, observing some inconsistency in their first forgery, were obliged to forge this commission anew, yet could not render it coherent or probable. (3) Nothing could be more obviously pernicious to the king's cause than the Irish rebellion, because it increased his necessities, and rendered him still more dependent on the parliament, who had before sufficiently shown on what terms they would assist him. (4) The instant the king heard of the rebellion, which was a very few days after its commencement, he wrote to the parliament, and gave over to them the management of the war. Had he built any projects on that rebellion, would he not have waited some little time, to see how they would succeed? Would he presently have adopted a measure which was evidently so hurtful to his authority? (5) What can be imagined to be the king's projects? to raise the Irish to arms, I suppose, and bring them over to England for his assistance. But is it not plain that the king never intended to raise war in England? Had that been his intention, would he have rendered the parliament perpetual? Does it not appear, by the whole train of events, that the parliament forced him into the war? (6) The king conveyed to the justices intelligence which ought to have prevented the rebellion. (7) The Irish catholics, in all their future transactions with the king, where they endeavour to excuse their insurrection, never had the assurance to plead his commission. Even among themselves they dropped that pretext. It appears that Sir Phelim O'Neil, chiefly, and he

By the difficulties and distresses of the crown, the commons, who possessed alone the power of supply, had aggrandized themselves, and it seemed a peculiar happiness that the Irish rebellion had succeeded, at so critical a juncture, to the pacification of Scotland. That expression of the king's, by which he committed to them the care of Ireland, they immediately laid hold of, and interpreted in the most unlimited sense. They had, on other occasions, been gradually encroaching on the executive power of the crown, which forms its principal and most natural branch of authority, but with regard to Ireland, they at once assumed it fully and entirely, as if delivered over to them by a regular gift or assignment. And to this usurpation the king was obliged passively to submit, both because of his inability to resist, and lest he should still more expose himself to the reproach of favouring the progress of that odious rebellion.

The project of introducing further innovations in England being once formed by the leaders among the commons, it became a necessary consequence, that their operations with regard to Ireland should, all of them, be considered as subordinate to the former, on whose success, when once undertaken, their whole grandeur, security, and even being, must entirely depend. While they pretended the utmost zeal against the Irish insurrection, they took no steps towards its suppression but such as likewise tended to give them the superiority in those commotions, which they foresaw must so soon be excited in England (Clarendon, vol. II, p. 435, Sir Ed. Walker, p. 6). The extreme contempt entertained for the natives in Ireland made the popular leaders believe that it would be easy, at any time, to suppress their rebellion, and recover that kingdom, nor were they willing to lose, by too hasty success, the advantage which that rebellion would afford them in their projected encroachments on the prerogative. By assuming the total management of the war, they acquired the courtship and dependence of every one who had any connection with Ireland, or who was desirous of enlisting in these military enterprises, they levied money under pretence of the Irish expedition, but reserved it for purposes which concerned them more nearly; they took arms from the king's magazines, but still kept them with a secret intention of employing them against himself, whatever law they deemed necessary for aggrandizing themselves was voted, under colour of enabling them to recover Ireland; and if Charles withheld the royal assent, his refusal was imputed to those pernicious counsels which had at first excited the popish rebellion, and which still threatened total destruction to the protestant interest throughout all his dominions (Nelson, vol. II, p. 618; Clarendon, vol. IV, p. 590). And though no forces were for a long time sent over to Ireland, and very little money remitted, during the extreme distress of that kingdom, so strong was the people's attachment to the commons, that the fault was never imputed to those

only at first, promoted that imposture. Carte's Ormond, vol. II, No. 200, 211, 212, 214, 215, 221, 232, 237. (8) O'Neil himself confessed the imposture on his trial and at his execution. Nelson, vol. II, p. 528. Maguire, at his execution, made a like confession. (9) It is ridiculous to mention the justification which Charles II gave to the Marquis of Antrim, as if he had acted by his father's commission. Antrim had no hand in the first rebellion and the massacre. He joined not the rebels till two years after; it was with the king's consent, and he did important service in sending over a body of men to Montrose.

pious zealots whose votes breathed nothing but death and destruction to the Irish rebels -

To make the attack on royal authority by regular approaches, it was thought proper to frame a general remonstrance of the state of the nation, and accordingly the committee, which at the first meeting of parliament had been chosen for that purpose, and which had hitherto made no progress in their work, received fresh injunctions to finish that undertaking

The committee brought into the house that remonstrance, which has become so memorable, and which was soon afterwards attended with such important consequences. It was not addressed to the king, but was openly declared to be an appeal to the people. The harshness of the matter was equalled by the severity of the language. It consists of many gross falsehoods, intermingled with some evident truths, malignant insinuations are joined to open invectives, loud complaints of the past, accompanied with jealous prognostications of the future. Whatever unfortunate, whatever invidious, whatever suspicious measure had been embraced by the king from the commencement of his reign, is insisted on and aggravated with merciless rhetoric, the unsuccessful expeditions to Cadiz and the isle of Rhé are mentioned, the sending of ships to France for the suppression of the Huguenots, the forced loans, the illegal confinement of men for not obeying illegal commands, the violent dissolution of four parliaments, the arbitrary government which always succeeded, the questioning, fining, and imprisoning of members for their conduct in the house, the levying of taxes without consent of the commons, the introducing of superstitious innovations into the church, without authority of law, in short, everything which, either with or without reason, had given offence, during the course of fifteen years, from the accession of the king to the calling of the present parliament. And though all these grievances had been already redressed, and even laws enacted for future security against their return, the praise of these advantages was ascribed, not to the king, but to the parliament who had extorted his consent to such salutary statutes. Their own merits too they asserted, towards the king, were no less eminent than towards the people. Though they had seized his whole revenue, rendered it totally precarious, and made even their temporary supplies be paid to their own commissioners, who were independent of him, they pretended that they had liberally supported him in his necessities. By an insult still more egregious, the very giving of money to the Scots for levying war against their sovereign, they represented as an instance of their duty towards him. And all their grievances, they said, which amounted to no less than a total subversion of the constitution, proceeded entirely from the formed combination of a popish faction, who had ever swayed the king's counsels, who had endeavoured, by an uninterrupted effort, to introduce their superstition into England and Scotland, and who had now, at last, excited an open and bloody rebellion in Ireland (Rush, vol v, p 438, Nelson, vol II, p 694)

This remonstrance, so full of acrimony and violence, was a plain signal for some further attacks intended on royal prerogative, and a declaration that the concessions already made, however important,

were not to be regarded as satisfactory. What pretensions would be advanced, how unprecedented, how unlimited, were easily imagined; and nothing less was foreseen, whatever ancient names might be preserved, than an abolition, almost total, of the monarchical government of England. The opposition therefore, which the remonstrance met with in the House of Commons, was great. For above fourteen hours the debate (Nov. 22) was warmly managed, and from the weariness of the king's party, which probably consisted chiefly of the elderly people, and men of cool spirits, the vote was at last carried by a small majority of eleven¹. Some time after, the remonstrance was ordered to be printed and published, without being carried up to the House of Peers, for their assent and concurrence.

When this remonstrance was dispersed, it excited everywhere the same violent controversy which attended it when introduced into the House of Commons. This parliament, said the partisans of that assembly, have at length profited by the fatal example of their predecessors, and are resolved that the fabric, which they have generously undertaken to rear for the protection of liberty, shall not be left to future ages insecure and imperfect. At the time when the Petition of Rights that requisite vindication of a violated constitution, was extorted from the unwilling prince, who but imagined that liberty was at last secured, and that the laws would thenceforth maintain themselves in opposition to arbitrary authority? But what was the event? A right was indeed acquired to the people,—or rather their ancient right was more exactly defined; but as the power of invading it still remained in the prince, no sooner did an opportunity offer, than he totally disregarded all laws and preceding engagements, and made his will and pleasure the sole rule of government. Those lofty ideas of monarchical authority, which he has derived from his early education, which are united in his mind with the irresistible illusions of self love, which are corroborated by his mistaken principles of religion, it is in vain to hope that, in his more advanced age, he will sincerely renounce, from any subsequent reflection or experience. Such conversions, if ever they happen, are extremely rare, but to expect that they will be derived from necessity, from the jealousy and resentment of antagonists, from blame, from reproach, from opposition, must be the result of the fondest and most blind credulity. These violences, however necessary, are sure to irritate a prince against limitations so cruelly imposed upon him, and each concession which he is constrained to make is regarded as a temporary tribute paid to faction and sedition, and is secretly attended with a resolution of seizing every favourable opportunity to retract it. Nor should we imagine that opportunities of that kind will not offer in the course of human affairs. Governments, especially those of a mixed kind, are in continual fluctuation; the humours of the people change perpetually from one extreme to another, and no resolution can be more wise, as well as more just, than that of employing the present advantages against the king, who had formerly pushed much less tempting ones to the utmost extremities against his people and his parliament. It is to be feared that, if the religious rage which has seized the multitude be allowed to evaporate, they will quickly

¹ Whitlocke, p. 49; Dugdale, p. 71; Nalson, vol. II., p. 668.

return to the ancient ecclesiastical establishment, and with it embrace those principles of slavery which it inculcates with such zeal on its submissive proselytes. Those patriots who are now the public idols may then become the objects of general detestation, and equal shouts of joy attend their ignominious execution, with those which second their present advantages and triumphs. Nor ought the apprehension of such an event to be regarded in them as a selfish consideration; in their safety is involved the security of the laws, the patrons of the constitution cannot suffer without a fatal blow to the constitution, and it is but justice in the public to protect, at any hazard, those who have so generously exposed themselves to the utmost hazard for the public interest. What though monarchy, the ancient government of England, be impaired, during these contests, in many of its former prerogatives; the laws will flourish the more by its decay; and it is happy, allowing that matters are really carried beyond the bounds of moderation, that the current at least runs towards liberty, and that the error is on that side which is safest for the general interests of mankind and society.

The best arguments of the royalists against a further attack on the prerogative were founded more on opposite ideas, which they had formed of the past events of this reign, than on opposite principles of government. Some invasions, they said, and those too of moment, had undoubtedly been made on national privileges, but were we to look for the cause of these violences, we should never find it to consist in the want of tyranny and injustice of the prince, not even in his ambition or immoderate appetite for authority. The hostilities with Spain, in which the king, on his accession, found himself engaged, however imprudent and unnecessary, had proceeded from the advice, and even importunity of the parliament, who deserted him immediately after they had embarked him in those warlike measures. A young prince, jealous of honour, was naturally afraid of being foiled in his first enterprise, and had not as yet attained such maturity of counsel as to perceive that his greatest honour lay in preserving the laws inviolate, and gaining the full confidence of his people. The rigour of the subsequent parliaments had been extreme with regard to many articles, particularly tonnage and poundage, and had reduced the king to an absolute necessity, if he would preserve entire the royal prerogative, of levying those duties by his own authority, and of breaking through the forms, in order to maintain the spirit, of the constitution. Having once made so perilous a step, he was naturally induced to continue, and to consult the public interest by imposing ship-money, and other moderate, though irregular, burdens and taxations. A sure proof that he had formed no system for enslaving his people is that the chief object of his government has been to raise a naval, not a military force: a project useful, honourable, nay indispensably requisite, and in spite of his great necessities brought almost to a happy conclusion. It is now full time to free him from all these necessities, and to apply cordials and lenitives, after those severities which have already had their full course against him. Never was sovereign blessed with more moderation of temper, with more justice, more humanity, more honour, or a more gentle disposition. What pity that such a prince should so long have been harassed with rigours, suspicions, calumnies, complaints,

incroachments, and been forced from that path, in which the rectitude of his principles would have inclined him to have constantly trod! If some few instances are found of violations made on the petition of right, which he himself had granted, there is an easier and more natural way for preventing the return of like inconveniences, than by a total abolition of royal authority. Let the revenue be settled, suitably to the ancient dignity and splendour of the crown; let the public necessities be fully supplied, let the remaining articles of prerogative be left untouched, and the king, as he has already lost the power, will lay aside the will of invading the constitution. From what quarter can jealousies now arise? What farther security can be desired or expected? The king's preceding concessions, so far from being insufficient for public security, have rather erred on the other extreme, and, by depriving him of all power of self-defence, are the real cause why the commons are emboldened to raise pretensions hitherto unheard of in the kingdom, and to subvert the whole system of the constitution. But would they be content with moderate advantages, is it not evident that, besides other important concessions, the present parliament may be continued till the government be accustomed to the new track, and every part be restored to full harmony and concord? By the triennial act a perpetual succession of parliaments is established as everlasting guardians to the laws, while the king possesses no independent power or military force, by which he can be supported in his invasion of them. No danger remains but what is inseparable from all free constitutions, and what forms the very essence of their freedom: the danger of a change in the people's disposition, and of general disgust, contracted against popular privileges. To prevent such an evil no expedient is more proper than to contain ourselves within the bounds of moderation, and to consider that all extremes, naturally and infallibly, beget each other. In the same manner as the past usurpations of the crown, however excusable on account of the necessity or provocations whence they arose, have excited an immeasurable appetite for liberty, let us beware lest our encroachments, by introducing anarchy, make the people seek shelter under the peaceable and despotic rule of a monarch. Authority, as well as liberty, is requisite to government, and is even requisite to the support of liberty itself by maintaining the laws which can alone regulate and protect it. What madness, while everything is so happily settled under ancient forms and institutions, now more exactly poised and adjusted, to try the hazardous experiment of a new constitution, and renounce the mature wisdom of our ancestors for the crude whimsies of turbulent innovators! Besides the certain and inconceivable mischiefs of civil war, are not the perils apparent, which the delicate frame of liberty must inevitably sustain amidst the furious shock of arms? Whichever side prevails 'she' can scarcely hope to remain inviolate, and may suffer no less, or rather greater injuries from the boundless pretensions of forces engaged in her cause, than from the invasion of enraged troops, enlisted on the side of monarchy.

The king, upon his return from Scotland, was, November 25th, received in London with the shouts and acclamations of the people,

and with every demonstration of regard and affection¹ Sir Richard Gournay, lord mayor, a man of moderation and authority, had promoted these favourable dispositions, and had engaged the populace, who so lately insulted the king, and who so soon after made furious war upon him, to give him these marks of their dutiful attachment. But all the pleasure which Charles reaped from this joyous reception, was soon damped by the remonstrance of the commons, which was presented him, together with a petition of a like strain. The bad counsels, which he followed, are there complained of, his concurrence in the Irish rebellion plainly insinuated, the scheme, laid for the introduction of popery and superstition, inveighed against; and, as a remedy for all these evils, he is desired to entrust every office and command to persons in whom his parliament should have cause to confide². By this phrase, which is so often repeated in all the memorials and addresses of that time, the commons meant themselves and their adherents.

As soon as the remonstrance of the commons was published, the king dispatched an answer to it. In this contest he lay under great disadvantages. Not only the ears of the people were extremely prejudiced against him, the best topics upon which he could justify, at least apologise for his former conduct, were such as it was not safe or prudent for him at this time to employ. So high was the national idolatry towards parliaments, that to blame the past conduct of these assemblies, would have been very ill received by the generality of the people. So loud were the complaints against legal usurpations, that, had the king asserted the prerogative of supplying by his own authority, the deficiencies in government arising from the obstinacy of the commons, he would have increased the clamours with which the whole nation already resounded. Charles, therefore, contented himself with observing, in general, that even during that period so much complained of, the people enjoyed a great measure of happiness, not only comparatively in respect of their neighbours, but even in respect of those times which were justly accounted the most fortunate. He made warm protestations of sincerity in the reformed religion, he promised indulgence to tender consciences with regard to the ceremonies of the church, he mentioned his great concessions to national liberty, he blamed the infamous libels everywhere dispersed against his person and the national religion, he complained of the general reproaches thrown out in the remonstrance, with regard to ill counsels, though he had protected no minister from parliamentary justice, retained no unpopular servant, and conferred offices on no one who enjoyed not a high character and estimation in the public. 'If, notwithstanding this,' he adds, 'any malignant party shall take heart and be willing to sacrifice the peace and happiness of their country to their own sinister ends and ambition, under whatever pretence of religion and conscience, if they shall endeavour to lessen my reputation and interest, and to weaken my lawful power and authority, if they shall attempt, by discountenancing the present laws, to loosen the bands of government that all disorder and confusion may break in upon us, I doubt not but God, in his good time, will discover them to me, and that the

¹ Rushworth, vol. v. p. 429

² Idem, ibid. p. 437, Nalson, vol. ii. p. 692.

‘wisdom and courage of my high court of parliament will join with me ‘in their suppression and punishment’¹ Nothing shows more evidently the hard situation in which Charles was placed, than to observe that he was obliged to confine himself within the limits of civility towards subjects who had transgressed all bounds of regard, and even of good manners in the treatment of their sovereign

The first instance of those parliamentary encroachments which Charles was now to look for was the bill for pressing soldiers to the service of Ireland. This bill quickly passed the lower house. In the preamble the king’s power of pressing, a power exercised during all former times, was declared illegal, and contrary to the liberty of the subject. By a necessary consequence the prerogative which the crown had ever assumed, of obliging men to accept of any branch of public service was abolished and annihilated. A prerogative, it must be owned, not very compatible with a limited monarchy. In order to elude this law, the king offered to raise 10,000 volunteers for the Irish service. But the commons were afraid lest such an army should be too much at his devotion. Charles, still unwilling to submit to so considerable a diminution of power, came to the house of peers, and offered to pass the law without the preamble, by which means, he said, that ill-timed question with regard to the prerogative would for the present be avoided, and the pretensions of each party be left entire. Both houses took fire at this measure, which, from a similar instance, while the bill of attainder against Strafford was in dependence, Charles might foresee would be received with resentment. The lords as well as commons passed a vote, declaring it to be a high breach of privilege for the king to take notice of any bill, which was in agitation in either of the houses, or to express his sentiments with regard to it before it be presented to him for his assent in a parliamentary manner. The king was obliged to compose all matters by an apology.²

The general question, we may observe, with regard to privileges of parliament, has always been, and still continues, one of the greatest mysteries in the English constitution, and, in some respects, notwithstanding the accurate genius of that government, these privileges are at present as undetermined as were formerly the prerogatives of the crown. Such privileges as are founded on long precedent cannot be controverted; but though it were certain that former kings had not, in any instance, taken notice of bills lying before the houses (which yet appears to have been very common), it follows not merely from their never exerting such a power, that they had renounced it, or never were possessed of it. Such privileges, also, as are essential to all free assemblies which deliberate, they may be allowed to assume whatever precedents may prevail, but though the king’s interposition, by an offer or advice, does in some degree overawe or restrain liberty, it may be doubted whether it imposes such evident violence as to entitle the parliament, without any other authority or concession, to claim the privilege of excluding it. But this was the favourable time for ex-

¹ Nelson, vol. ii p. 748

² Rushworth, vol. v pp. 457, 458, &c., Clarendon, vol. ii. p. 327, Nelson, vol. ii pp. 738, 750, 751, &c.

tending privileges, and had none more exorbitant or unreasonable been challenged, few bad consequences had followed. The establishment of this rule, it is certain, contributes to the order and regularity, as well as freedom, of parliamentary proceedings.

The interposition of peers in the election of commoners was likewise about this time declared a breach of privilege, and continues ever since to be condemned by votes of the commons, and universally practised throughout the nation.

Every measure pursued by the commons, and, still more, every attempt made by their partisans, were full of the most inveterate hatred against the hierarchy, and showed a determined resolution of subverting the whole ecclesiastical establishment. Besides numberless vexations and persecutions which the clergy underwent from the arbitrary power of the lower house, the peers, while the king was in Scotland, having passed an order for the observance of the laws with regard to public worship, the commons assumed such authority that, by a vote alone of their house they suspended those laws, though enacted by the whole legislature. And they particularly forbade bowing at the name of Jesus, a practice which gave them the highest scandal, and which was one of their capital objections against the established religion.¹ They complained of the king's filling five vacant sees, and considered it as an insult upon them, that he should complete and strengthen an order, which they intended soon entirely to abolish.² They had accused thirteen bishops of high treason, for enacting canons without consent of parliament,³ though, from the foundation of the monarchy no other method had ever been practised. And they now insisted that the peers upon this general accusation, should sequester those bishops from their seats in parliament, and commit them to prison. Their bill for taking away the bishops' votes had last winter been rejected by the peers, but they again introduced the same bill, though no prorogation had intervened, and they endeavoured by some minute alterations to elude that rule of parliament which opposed them. And when they sent up this bill to the lords, they made a demand, the most absurd in the world, that the bishops, being all of them parties, should be refused a vote with regard to that question.⁴ After the resolution was once formed by the commons of invading the established government of church and state, it could not be expected that their proceedings in such a violent attempt would thenceforth be altogether regular and equitable. But it must be confessed that in their attack on the hierarchy, they still more openly passed all bounds of moderation, as supposing, no doubt, that the sacredness of the cause would sufficiently atone for employing means the most irregular and unprecedented. This principle, which prevails so much among zealots, never displayed itself so openly as during the transactions of this whole period.

But, notwithstanding these efforts of the commons, they could not expect the concurrence of the upper house, either to this law, or to any other which they should introduce for the farther limitation of royal authority. The majority of the peers adhered to the king, and plainly foresaw the depression of nobility, as a necessary consequence of

¹ Rushworth, vol. v pp. 385, 386, Nalson, vol. ii p. 482.
² Rush. vol. v p. 359.

³ Nalson, vol. ii p. 511.
⁴ Clarendon, vol. ii p. 304.

popular usurpations on the crown. The insolence, indeed, of the commons, and their haughty treatment of the lords, had already risen to a great height, and gave sufficient warning of their future attempts upon that order. They muttered somewhat of their regret that they should be obliged to save the kingdom alone, and that the house of peers would have no part in the honour. Nay, they went so far as openly to tell the lords, 'That they themselves were the representative body of the whole kingdom, and that the peers were nothing but individuals, who held their seats in a particular capacity: and therefore, if their lordships will not consent to the passing of acts necessary for the preservation of the people, the commons, together with such of the lords as are more sensible of the danger, must join together, and represent the matter to his majesty.'¹ So violent was the democratical, enthusiastic spirit diffused throughout the nation, that a total confusion of all rank and order was justly to be apprehended, and the wonder was not, that the majority of the nobles should seek shelter under the throne, but that any of them should venture to desert it. But the tide of popularity seized many, and carried them wide of the most established maxims of civil policy. Among the opponents of the king are ranked the Earl of Northumberland, lord admiral, a man of the first family and fortune, and endowed with that dignified pride which so well became his rank and station. The Earl of Essex, who inherited all his father's popularity, and having, from his early youth, sought renown in arms, united to a middling capacity that rigid inflexibility of honour which forms the proper ornament of a nobleman and a soldier. Lord Kimbolton, soon after Earl of Manchester, a person distinguished by humanity, generosity, affability, and every amiable virtue. These men, finding that their credit ran high with the nation, ventured to encourage those popular disorders, which, they vainly imagined, they possessed authority sufficient to regulate and control.

In order to obtain a majority in the upper house, the commons had recourse to the populace, who, on other occasions, had done them such important service. Amidst the greatest security, they affected continual fears of destruction to themselves and the nation, and seemed to quake at every breath or rumour of danger. They again excited the people by never-ceasing inquiries after conspiracies, by reports of insurrections, by feigned intelligence of invasions from abroad, by discoveries of dangerous combinations at home among papists and their adherents. When Charles dismissed the guard which they had ordered during his absence, they complained, and, upon his promising them a new guard, under the command of the Earl of Lindesay, they absolutely refused the offer, and were well pleased to insinuate, by this instance of jealousy, that their danger chiefly arose from the king himself.² They ordered halberts to be brought into the hall where they assembled, and thus armed themselves against those conspiracies with which, they pretended, they were hourly threatened. All stories of plots, however ridiculous, were willingly attended to, and were dispersed among the multitude, to whose capacity they were well adapted. Beale, a tailor, informed the

¹ Clarendon, vol. ii p. 475² Journ. 30th Nov. 1641, Nalson, vol. ii. p. 688.

commons, that, walking in the fields, he had hearkened to the discourse of certain persons, unknown to him, and had heard them talk of a most dangerous conspiracy. A hundred and eight ruffians, as he learned, had been appointed to murder a hundred and eight lords and commoners, and were promised rewards for these assassinations, ten pounds for each lord, forty shillings for each commoner. Upon this notable intelligence, orders were issued for seizing priests and jesuits, a conference was desisted with the lords, and the deputy-lieutenants of some suspected counties were ordered to put the people in a posture of defence.¹

The pulpits likewise were called in aid, and resounded with the dangers which threatened religion, from the desperate attempts of papists and malignants. Multitudes flocked towards Westminster, and insulted the prelates and such of the lords as adhered to the crown. The peers voted a declaration against those tumults, and sent it to the lower house, but these refused their concurrence.² Some seditious apprentices, being seized and committed to prison, immediately received their liberty, by an order of the commons.³ The sheriffs and justices having appointed constables with strong watches to guard the parliament, the commons sent for the constables, and required them to discharge the watches, convened the justices, voted their orders a breach of privilege, and sent one of them to the Tower.⁴ Encouraged by these intimations of their pleasure, the populace crowded about Whitehall, and threw out insolent menaces against Charles himself. Several reduced officers and young gentlemen of the inns of court, during this time of disorder and danger, offered their services to the king. Between them and the populace there passed frequent skirmishes, which ended not without bloodshed. By way of reproach, these gentlemen gave the rabble the appellation of ROUND-HEADS, on account of the short cropt hair which they wore. These called the others CAVALIERS. And thus the nation, which was before sufficiently provided with religious as well as civil causes of quarrel, was also supplied with party-names, under which the factions might rendezvous, and signalize their mutual hatred.⁵

Meanwhile the tumults still continued, and even increased, about Westminster and Whitehall. The cry incessantly resounded against 'bishops and rotten-hearted lords'.⁶ The former especially, being distinguishable by their habit, and being the object of violent hatred to all the sectaries, were exposed to the most dangerous insults.⁷ Williams, now created Archbishop of York, having been abused by the populace, hastily called a meeting of his brethren. By his advice, a protestation was drawn, Dec. 27, and addressed to the king and the house of lords. The bishops there set forth, that though they had an undoubted right to sit and vote in parliament, yet in coming thither, they had been menaced, assaulted, affronted, by the unruly multitude, and could no longer with safety attend their duty in the house. For this reason they protested against all laws, votes, and resolutions, as null

¹ Nalson, vol. ii. p. 646. Journ. 16th Nov. 1641. Dugdale, p. 77.

² Rushworth, part iii. vol. i. p. 710.

³ Nalson, vol. ii. pp. 784, 792.

⁴ Ibid. p. 792. Journ. 27th, 28th, and 29th of Dec. 1641.

⁵ Clarendon, vol. ii. p. 339.

⁶ Ibid. p. 336.

⁷ Dugdale, p. 78.

and invalid, which should pass during the time of their constrained absence. This protestation, which, though just and legal, was certainly ill-timed, was signed by twelve bishops, and communicated to the king, who hastily approved of it. As soon as it was presented to the lords, that house desired a conference with the commons, whom they informed of this unexpected protestation. The opportunity was seized with joy and triumph. An impeachment of high treason was immediately sent up against the bishops, as endeavouring to subvert the fundamental laws, and to invalidate the authority of the legislature.¹ They were, on the first demand, sequestered from parliament, and committed to custody. No man, in either house, ventured to speak a word in their vindication; so much displeased was every one at the egregious imprudence of which they had been guilty. One person alone said, that he did not believe them guilty of high treason; but that they were stark mad, and therefore desired they might be sent to bedlam.²

A few days after, the king was (1642) betrayed into another indiscretion, much more fatal: an indiscretion to which all the ensuing disorders and civil wars ought immediately and directly to be ascribed. This was the impeachment of Lord Kimbolton and the five members.

When the commons employed, in their remonstrance, language so severe and indecent, they had not been actuated entirely by insolence and passion: their views were more solid and profound. They considered, that, in a violent attempt, such as an invasion of the ancient constitution, the more leisure was afforded the people to reflect, the less would they be inclined to second that rash and dangerous enterprise; that the peers would certainly refuse their concurrence, nor were there any hopes of prevailing on them, but by instigating the populace to tumult and disorder, that the employing of such odious means for so odious an end, would, at long run, lose them all their popularity, and turn the tide of favour to the contrary party, and that, if the king only remained in tranquillity, and cautiously eluded the first violence of the tempest, he would, in the end, certainly prevail, and be able at least to preserve the ancient laws and constitution. They were therefore, resolved, if possible, to excite him to some violent passion, in hopes that he would commit indiscretions, of which they might make advantage.

It was not long before they succeeded beyond their fondest wishes. Charles was enraged to find that all his concessions but increased their demands, that the people, who were returning to a sense of duty towards him, were again roused to sedition and tumults, that the blackest calumnies were propagated against him, and even the Irish massacre ascribed to his counsels and machinations; and that a method of address was adopted, not only unsuitable towards so great a prince, but which no private gentleman could bear without resentment. When he considered all these increasing acts of insolence in the commons, he was apt to ascribe them, in a great measure, to his own indolence and facility. The queen and the ladies of the court farther stimulated his passion, and represented, that, if he exerted the

¹ Whitlocke, p. 51. Rushworth, vol. v. p. 466, Nelson, vol. x. p. 794.

² Clarendon, vol. ii. p. 355.

vigour, and displayed the majesty of a monarch, the daring usurpations of his subjects would shrink before him. Lord Digby, a man of fine parts, but full of levity, and hurried on by precipitate passions, suggested like counsels, and Charles, who, though commonly moderate in his temper, was ever disposed to hasty resolutions, gave way to the fatal importunity of his friends and servants.¹

Herbert, attorney-general appeared in the House of Peers, and, in his Majesty's name, entered an accusation of high treason against Lord Kimbolton and five commoners, Hollis, Sir Arthur Hazlerig, Hambden, Pym, and Strode. The articles were, that they had traitorously endeavoured to subvert the fundamental laws and government of the kingdom, to deprive the king of his regal power, and to impose on his subjects an arbitrary and tyrannical authority, that they had endeavoured, by many foul aspersions on his Majesty and his government, to alienate the affections of his people, and make him odious to them; that they had attempted to draw his late army to disobedience of his royal commands, and to side with them in their traitorous designs; that they had invited and encouraged a foreign power to invade the kingdom, that they had aimed at subverting the rights and very being of parliament, that, in order to complete their traitorous designs, they had endeavoured, as far as in them lay, by force and terror, to compel the parliament to join with them, and, to that end, had actually raised and countenanced tumults against the king and parliament, and that they had traitorously conspired to levy, and actually had levied, war against the king.²

The whole world stood amazed at this important accusation, so suddenly entered upon, without concert, deliberation, or reflection. Some of these articles of accusation, men said, to judge by appearance, seem to be common between the impeached members and the parliament: nor did these persons appear any farther active in the enterprizes of which they were accused, than so far as they concurred with the majority in their votes and speeches. Though proofs might, perhaps, be produced, of their privately inviting the Scots to invade England, how could such an attempt be considered as treason, after the act of oblivion which had passed, and after that both houses with the king's concurrence, had voted that nation three hundred thousand pounds for their brotherly assistance.¹ While the House of Peers are scarcely able to maintain their independency, or to reject the bills sent them by the commons, will they ever be permitted by the populace, supposing them inclined, to pass a sentence, which must totally subdue the lower house, and put an end to their ambitious undertakings? These five members, at least Pym, Hambden, and Hollis, are the very heads of the popular party, and if these be taken off, what fate must be expected by their followers, who are many of them accomplices in the same treason? The punishment of leaders is ever the last triumph over a broken and routed party, but surely was never before attempted, in opposition to a faction, during the full tide of its power and success.

But men had not leisure to wonder at the indiscretion of this

¹ Clarendon, vol. ii. p. 360

² Whitlocke, p. 50, Rushworth, vol. v. p. 473, Nalson, vol. ii. p. 811, Franklyn, p. 906.

measure their astonishment was excited by new attempts, still more precipitate and imprudent. A sergeant-at-arms, in the king's name, demanded of the house the five members, and was sent back without any positive answer. Messengers were employed to search for them and arrest them. Their trunks, chambers, and studies, were sealed, and locked. The house voted all these acts of violence to be breaches of privilege, and commanded every one to defend the liberty of the members.¹ The king, irritated by all this opposition, resolved next day to come in person to the house, with an intention to demand, perhaps seize in their presence, the persons whom he had accused.

This resolution was discovered to the Countess of Carlisle, sister to Northumberland, a lady of spirit, wit, and intrigue.² She privately sent intelligence to the five members, and they had time to withdraw, a moment before the king entered. He was accompanied by his ordinary retinue to the number of above two hundred, armed as usual, some with halberds, some with walking swords. The king left them at the door, and he himself advanced alone through the hall, while all the members rose to receive him. The speaker withdrew from his chair, and the king took possession of it. The speech, which he made, was as follows: 'Gentlemen, I am sorry for this occasion of coming to you. Yesterday, I sent a sergeant-at-arms, to demand some, who, by my order, were accused of high treason. Instead of obedience, I received a message. I must here declare to you, that, though no king, that ever was in England, could be more careful of your privileges than I shall be, yet in cases of treason no person has privilege. Therefore, am I come to tell you, that I must have these men wheresoever I can find them. Well, since I see all the birds are flown, I do expect that you will send them to me as soon as they return. But I assure you, on the word of a king, I never did intend any force, but shall proceed against them in a fair and legal way. for I never meant any other. And now since I see I cannot do what I came for, I think this is no unfit occasion to repeat what I have said formerly, that whatever I have done in favour and to the good of my subjects, I do intend to maintain it.'³

When the king was looking around for the accused members, he asked the speaker, who stood below, whether any of these persons were in the house? The speaker, falling on his knee, prudently replied: 'I have, sir, neither eyes to see, nor tongue to speak in this place, but as the house is pleased to direct me, whose servant I am. And I humbly ask pardon, that I cannot give any other answer to what your majesty is pleased to demand of me.'⁴

The commons were in the utmost disorder, and, when the king was departing, some members cried aloud, so as he might hear them, 'Privilege! privilege!' And the house immediately adjourned till next day.⁵

That evening, the accused members, to show the greater apprehension, removed into the city, which was their fortress. The citizens were the whole night in arms. Some people, who were appointed for

¹ Whitlocke, p. 50. Rushworth, vol. v. pp. 474, 475.

² Whitlocke, p. 51. Warwick, p. 204.

³ Whitlocke, p. 50.

⁴ Whitlocke, p. 50. May, book ii, p. 20.

⁵ Whitlocke, p. 51.

that purpose, or perhaps actuated by their own terrors, ran from gate to gate, crying out, that the cavaliers were coming to burn the city, and that the king himself was at their head.

Next morning Charles sent to the mayor, and ordered him to call a common-council immediately. About ten o'clock he himself, attended only by three or four lords, went to Guildhall. He told the common-council, that he was sorry to hear of the apprehensions entertained of him, that he was come to them without any guard, in order to show how much he relied on their affections, and that he had accused certain men of high-treason, against whom he would proceed in a legal way, and therefore presumed that they would not meet with protection in the city. After many other gracious expressions, he told one of the sheriffs, who of the two was thought the least inclined to his service, that he would dine with him. He departed the hall without receiving the applause which he expected. In passing through the streets, he heard the cry, 'Privilege of parliament! privilege of parliament!' resounding from all quarters. One of the populace, more insolent than the rest, drew nigh to his coach, and called out with a loud voice, 'To your tents, O Israel!' the words employed by the mutinous Israelites, when they abandoned Rehoboam, their rash and ill-counselled sovereign.¹

When the House of Commons met, they affected the greatest dismay, and adjourning themselves for some days, ordered a committee to sit in Merchant-tailors hall in the city. The committee made an exact enquiry into all circumstances attending the king's entry into the house, every passionate speech, every menacing gesture of any, even the meanest, of his attendants, was recorded and aggravated. An intention of offering violence to the parliament, of seizing the accused members in the very house, and of murdering all who should make resistance, was inferred. And that unparalleled breach of privilege, so it was called, was still ascribed to the counsel of papists and their adherents. This expression, which then recurred every moment in speeches and memorials, and which, at present, is so apt to excite laughter in the reader, begat at that time the deepest and most real consternation throughout the kingdom.

A letter was pretended to be intercepted, and was communicated to the committee, who pretended to lay great stress upon it. One Catholic there congratulates another on the accusation of the members, and represents that incident as a branch of the same pious contrivance, which had excited the Irish insurrection, and by which the profane heretics would soon be exterminated in England.²

The house again met, and, after confirming the votes of their committee, instantly adjourned, as if exposed to the most imminent perils from the violence of their enemies. This practice they continued for some time. When the people, by these affected panics, were wrought up to a sufficient degree of rage and terror, it was thought proper, that the accused members should, with a triumphant and military procession, take their seats in the house. The river was covered with boats, and other vessels, laden with small pieces of ordnance, and prepared for fight. Skippen, whom the parliament had

¹ Rush. vol. v. p. 479, Clarendon, vol. ii, p. 361

² Nalson, vol. ii p. 836.

appointed, by their own authority, major-general of the city militia,¹ conducted the members, at the head of this tumultuary army to Westminster-hall. And when the populace, by land and by water, passed Whitehall, they still asked with insulting shouts, 'What has become of the king and his cavaliers? And whither are they fled?'

The king, apprehensive of danger from the enraged multitude had retired to Hampton-court, deserted by all the world, and overwhelmed with grief, shame, and remorse, for the fatal measures into which he had been hurried. His distressed situation he could no longer ascribe to the rigors of destiny or the malignity of enemies. his own precipitancy and indiscretion must bear the blame of whatever disasters should henceforth befall him. The most faithful of his adherents, between sorrow and indignation, were confounded with reflections on what had happened, and what was likely to follow. Seeing every prospect blasted, faction triumphant, the discontented populace inflamed to a degree of fury, they utterly despaired of success, in a cause, to whose ruin friends and enemies seemed equally to conspire.

The prudence of the king in his conduct of this affair, nobody pretended to justify. The legality of his proceedings met with many and just apologies, though generally offered to unwilling ears. No maxim of law, it was said, is more established or more universally allowed, than that privilege of parliament extends not to treason, felony, or breach of peace, nor has either house, during former ages, ever pretended, in any of those cases, to interpose in behalf of its members. Though some inconveniences should result from the observance of this maxim, that would not be sufficient, without other authority to abolish a principle established by uninterrupted precedent, and founded on the tacit consent of the whole legislature. But what are the inconveniences so much dreaded? The king, on pretence of treason, may seize any members of the opposite faction, and, for a time gain to his partizans the majority of voices. But if he seize only a few, will he not lose more friends, by such a gross artifice, than he confines enemies? If he seize a great number, is not this expedient force, open and barefaced? And what remedy, at all times, against such force, but to oppose to it a force which is superior? Even allowing that the king intended to employ violence, not authority, for seizing the members, though at that time, and ever afterwards, he positively asserted the contrary, yet will his conduct admit of excuse. That the hall, where the parliament assembles, is an inviolable sanctuary was never yet pretended. And if the commons complain of the affront offered them, by an attempt to arrest their members in their very presence, the blame must lie entirely on themselves, who had formerly refused compliance with the king's message, when he peaceably demanded these members. The sovereign is the great executor of the laws; and his presence was here legally employed, both in order to prevent opposition, and to protect the house against those insults which their disobedience had so well merited.

Charles knew to how little purpose he should urge these reasons against the present fury of the commons. He proposed, therefore, by a message, that they would agree upon a legal method, by which he

¹ Nalson, vol. ii. p. 833.

² Whitlocke, p. 52, Dugdale, p. 82, Clarendon, vol. ii. p. 380.

might carry on his prosecution against the members, lest further misunderstandings happen with regard to privilege. They desired him to lay the grounds of accusation before the house, and pretended that they must first judge, whether it were proper to give up their members to a legal trial. The king then informed them, that he would waive, for the present, all prosecution by successive messages, he afterwards offered a pardon to the members offered to concur in any law that should acquit or secure them, offered any reparation to the house for the breach of privilege, of which, he acknowledged, they had reason to complain.¹ They were resolved to accept of no satisfaction, unless he would discover his advisers in that illegal measure a condition, to which, they knew, that, without rendering himself for ever vile and contemptible, he could not possibly submit. Meanwhile, they continued to thunder against the violation of parliamentary privileges, and, by their violent outcries, to inflame the whole nation. The secret reason of their displeasure, however obvious, they carefully concealed. In the king's accusation of the members they plainly saw his judgment of late parliamentary proceedings, and every adherent of the ruling faction dreaded the same fate, should royal authority be re-established in its ancient lustre. By the most unhappy conduct, Charles, while he extremely augmented, in his opponents, the will, had also encreased the ability, of hurting him.

The more to excite the people, whose dispositions were already very seditious, the expedient of petitioning was renewed. A petition from the county of Buckingham was presented to the house by six thousand subscribers, who promised to live and die in defence of the privileges of parliament.² The city of London, the county of Essex, that of Hertford, Surrey, Berks, imitated the example. A petition from the apprentices was graciously received.³ Nay, one was encouraged from the porters; whose numbers amounted, as they said, to fifteen thousand.⁴ The address of that great body contained the same articles with all the others, the privileges of parliament, the danger of religion, the rebellion of Ireland, the decay of trade. The porters farther desired, that justice might be done upon offenders, as the atrociousness of their crimes had deserved. And they added, 'That if such remedies were any longer suspended, they should be forced to extremities not fit to be named, and to make good the saying, 'That necessity has no law.'⁵

Another petition was presented by several poor people, or beggars, in the name of many thousands more, in which the petitioners proposed as a remedy for the public miseries, 'That those noble worthies of the house of peers, who concur with the happy votes of the commons, may separate themselves from the rest, and sit and vote as 'one entire body'. The commons gave thanks for this petition.⁶

The very women were seized with the same rage. A brewer's wife, followed by many thousands of her sex, brought a petition to the house; in which the petitioners expressed their terror of the papists and prelates, and their dread of like massacres, rapes, and outrages,

¹ Dugdale, p. 84, Rushworth, vol. v pp. 484, 488, 492, &c.

² Rushworth, vol. v p. 487

³ Clarendon, vol. ii p. 412

⁴ Idem, ibid p. 462

⁵ Dugdale, p. 87

⁶ Idem, ibid p. 413.

with those which had been committed upon their sex in Ireland. They had been necessitated, they said, to imitate the example of the woman of Tekoah, and they claimed equal right with the men, of declaring, by petition, their sense of the public cause, because Christ had purchased them at as dear a rate, and in the free enjoyment of Christ consists equally the happiness of both sexes. Pym came to the door of the house, and, having told the female zealots, that their petition was thankfully accepted, and was presented in a seasonable time, he begged that their prayers for the success of the commons might follow their petition. Such low arts of popularity were affected.¹ And by such illiberal cant were the unhappy people incited to civil discord and convulsions.¹

In the mean time, not only all petitions, which favoured the church or monarchy, from whatever hand they came, were discouraged; but the petitioners were sent for, imprisoned, and prosecuted as delinquents. and this unequal conduct was openly avowed and justified. Whoever desire a change, it was said, must express their sentiments, for how, otherwise, shall they be known? But those who favour the established government in church or state, should not petition, because they already enjoy what they wish for.¹

The king had possessed a great party in the lower house, as appeared in the vote for the remonstrance, and this party, had every new cause of disgust been carefully avoided, would soon have become the majority; from the odium attending the violent measures embraced by the popular leaders. A great majority he always possessed in the house of peers, even after the bishops were confined or chased away, and this majority could not have been overcome, but by outrages, which, in the end, would have drawn disgrace and ruin on those who incited them. By the present fury of the people, as by an inundation, were all these obstacles swept away, and every rampart of royal authority laid level with the ground. The victory was pursued with impetuosity by the sagacious commons, who knew the importance of a favourable moment in all popular commotions. The terror of their authority they extended over the whole nation; and all opposition, and even all blame vented in private conversation, were treated as the most atrocious crimes, by these severe inquisitors. Scarcely was it permitted to find fault with the conduct of any particular member, if he made a figure in the house, and reflections, thrown out on Pym, were at this time treated as breaches of privilege. The populace without doors were ready to execute, from the least hint, the will of their leaders, nor was it safe for any member to approach either house, who pretended to control or oppose the general torrent. After so undisguised a manner was this violence conducted, that Hollis, in a speech to the peers, desired to know the names of such members as should vote contrary to the sentiments of the commons.² And Pym said in the lower house, that the people must not be restrained in the expression of their just desires.³

By the flight, or terror, or despondency of the king's party, an undisputed majority remained everywhere to their opponents; and the bills sent up by the commons, which had hitherto stopped with the

¹ Clarendon, vol. ii p. 449

² King's Declar. of 12th Aug. 1642

³ *Ibid.*

peers, and would certainly have been rejected, now passed, and were presented for the royal assent. These were, the pressing bill with its preamble, and the bill against the votes of the bishops in parliament. The king's authority was at that time reduced to the lowest ebb. The queen too, being secretly threatened with an impeachment, and finding no resource in her husband's protection, was preparing to retire into Holland. The rage of the people was, on account of her religion, as well as her spirit and activity, universally levelled against her. Usage, the most contumelious, she had hitherto borne with silent indignation. The commons, in their fury against priests, had seized her very confessor, nor would they release him upon her repeated applications. Even a visit of the prince to his mother had been openly complained of, and remonstrances against it had been presented to her.¹ Apprehensive of attacks still more violent, she was desirous of facilitating her escape, and she prevailed with the king to pass these bills, in hopes of appeasing, for a time, the rage of the multitude.²

These new concessions, however important, the king immediately found to have no other effect, than had all the preceding ones: they were made the foundation of demands still more exorbitant. From the facility of his disposition, from the weakness of his situation, the commons believed, that he could now refuse them nothing. And they regarded the least moment of relaxation, in their invasion of royal authority, as highly impolitic, during the uninterrupted torrent of their successes. The very moment they were informed of these last acquisitions, they affronted the queen, by opening some intercepted letters written to her by Lord Digby: they carried up an impeachment against Herbert, attorney-general, for obeying his master's commands in accusing their members.³ And they prosecuted, with fresh vigour, their plan of the militia, on which they rested all future hopes of an uncontrolled authority.

The commons were sensible, that monarchical government, which, during so many ages, had been established in England, would soon regain some degree of its former dignity, after the present tempest was overblown, nor would all their new-invented limitations be able totally to suppress an authority, to which the nation had ever been accustomed. The sword alone, to which all human ordinances must submit, could guard their acquired power, and fully ensure to them personal safety against the rising indignation of their sovereign. This point, therefore, became the chief object of their aims. A large magazine of arms being placed in the town of Hull, they dispatched thither Sir John Hotham, a gentleman of considerable fortune in the neighbourhood, and of an ancient family; and they gave him the authority of governor. They sent orders to Goring, governor of Portsmouth, to obey no commands but such as he should receive from the parliament. Not content with having obliged the king to displace Lunsford, whom he had appointed governor of the Tower,⁴ they never ceased soliciting him, till he had also displaced Sir John Biron, a man of unexceptionable character, and had bestowed that command on Sir John Conyers, in whom alone, they said, they could repose confidence. After making

¹ Nalson, vol. ii. p. 512.
Rush vol. v. p. 489, Clarendon, vol. ii. p. 385

² Clarendon, vol. ii. p. 428.
⁴ Rush vol. v. p. 459

a fruitless attempt, in which the peers refused their concurrence, to give public warning, that the people should put themselves in a posture of defence against the enterprises of 'papists and other ill-affected persons,'¹ they now resolved, by a bold and decisive stroke, to seize at once the whole power of the sword, and to confer it entirely on their own creatures and adherents.

The severe votes, passed in the beginning of this parliament, against lieutenants and their deputies, for exercising powers assumed by all their predecessors, had totally disarmed the crown, and had not left in any magistrate military authority sufficient for the defence and security of the nation. To remedy this inconvenience now appeared necessary. A bill was introduced and passed the two houses, which restored to lieutenants and deputies the same powers of which the votes of the commons had bereaved them, but at the same time the names of all the lieutenants were inserted in the bill, and these consisted entirely of men in whom the parliament could confide. And for their conduct, they were accountable, by the express terms of the bill, not to the king, but to the parliament.

The policy pursued by the commons, and which had hitherto succeeded to admiration, was, to astonish the king by the boldness of their enterprises, to intermingle no sweetness with their severity, to employ expressions no less violent than their pretensions, and to make him sensible in what little estimation they held both his person and his dignity. To a bill so destructive of royal authority, they prefixed, with an insolence seemingly wanton, a preamble equally dishonourable to the personal character of the king. These are the words: 'Whereas there has been of late a most dangerous and desperate design upon the house of commons, which we have just cause to believe an effect of the bloody counsels of papists and other ill-affected persons, who have already raised a rebellion in the kingdom of Ireland. And whereas, by reason of many discoveries, we cannot but fear they will proceed, not only to stir up the like rebellions and insurrections in this kingdom of England; but also to back them with forces from abroad, &c'²

Here Charles first ventured to put a stop to his concessions; and that not by a refusal, but a delay. When this demand was made, a demand which, if granted, the commons justly regarded as the last they should ever have occasion to make, he was at Dover, attending the queen and the princess of Orange, in their embarkation. He replied, that he had not now leisure to consider a matter of so great importance, and must therefore respite his answer till his return.³ The parliament instantly (22 Feb) dispatched another message to him, with solicitations still more importunate. They expressed their great grief on account of his majesty's answer to their just and necessary petition. They represented, that any delay, during dangers and distractions so great and pressing, was not less unsatisfactory and destructive than an absolute denial. They insisted, that it was their duty to see put in execution a measure so necessary for public safety. And they (28 Feb) affirmed, that the people, in many counties, had applied to them for that purpose, and, in some places, were, of them-

¹ Nalson, vol 11 p 850

² Rush vol 7 p 519

³ Rush vol 7 p. 521.

selves, and by their own authority, providing against those urgent dangers with which they were threatened¹

Even after this insolence, the king durst not venture upon a flat denial. Besides excepting to the preamble, which threw such dishonour upon him, and protesting the innocence of his intentions when he entered the house of commons, he only desired that the military authority, if it were defective, should first be conferred upon the crown; and he promised to bestow commissions, but such as should be revocable at pleasure, on the same persons whom the parliament had named in the bill². By a former message he had expressed his wishes, that they would lay before him, in one view, all the concessions which they deemed requisite for the settlement of the nation. They pretended that they were exposed to perils so dreadful and imminent, that they had not leisure for such a work³. The expedient proposed by the king seemed a sufficient remedy during this emergence, and yet maintained the prerogatives of the crown entire and unbroken.

But the intentions of the commons were wide of this purpose, and their panics could be cured by one remedy alone. They instantly, March 1, replied, that the dangers and distempers of the nation were such as could endure no longer delay, and, unless the king speedily complied with their demands, they should be constrained, for the safety of prince and people, to dispose of the militia by the authority of both houses, and were resolved to do it accordingly. They asserted, that those parts of the kingdom which had, from their own authority, put themselves in a posture of defence during these prevailing fears and jealousies, had acted suitably to the declarations and directions of both houses, and conformably to the laws of the kingdom. And while they thus menaced the king with their power, they invited him to fix his residence at London, where they knew he would be entirely at mercy⁴.

'I am so much amazed at this message,' said the king in his prompt reply, 'that I know not what to answer. You speak of jealousies and fears! Lay your hands on your hearts, and ask yourselves, whether I may not likewise be disturbed with fears and jealousies: and if so, I assure you that this message has nothing lessened them.'

'As to the militia, I thought so much of it before I gave that answer, and am so much assured that the answer is agreeable to what in justice or reason you can ask, or I in honour grant, that I shall not alter it in any point.'

'For my residence near you, I wish it might be safe and honourable, and that I had no cause to absent myself from Whitehall. Ask yourselves whether I have not⁵.'

'What would you have? Have I violated your laws? Have I denied to pass any bill for the ease and security of my subjects? I do not ask what you have done for me.'

'Have any of my people been transported with fears and apprehensions? I offer as free and general a pardon as yourselves can devise. All this considered, there is a judgment of heaven upon this nation, if these distractions continue.'

¹ Rush vol. v. p. 522.

² Idem, *ibid.* pp. 526, 527.

³ Rushworth, part iii. vol. 1. chap. iv. p. 523.

⁴ Idem, *ibid.*

⁵ Idem, vol. v. p. 524.

‘ God so deal with me and mine as all my thoughts and intentions
‘ are upright for the maintenance of the true protestant profession, and
‘ for the observance and preservation of the laws, and I hope God will
‘ bless and assist those laws for *my* preservation ’¹

No sooner did the commons despair of obtaining the king's consent to their bill, than they instantly voted, that those who advised his majesty's answer were enemies to the state, and mischievous projectors against the safety of the nation, that this denial is of such dangerous consequence, that, if his majesty persist in it, it will hazard the peace and tranquillity of all his kingdoms, unless some speedy remedy be applied by the wisdom and authority of both houses, and that such of the subjects as have put themselves in a posture of defence against the common danger, have done nothing but what is justifiable, and approved by the house²

Lest the people might be averse to the seconding of all these usurpations, they were plied anew with rumours of danger, with the terrors of invasion, with the dread of English and Irish papists, and the most unaccountable panics were spread throughout the nation. Lord Digby, having entered Kingston in a coach and six, attended by a few livery-servants, the intelligence was conveyed to London; and it was immediately voted, that he had appeared in a hostile manner, to the terror and affright of his majesty's subjects, and had levied war against the king and the kingdom³. Petitions from all quarters loudly demanded of the parliament to put the nation in a posture of defence, and the county of Stafford, in particular, expressed such dread of an insurrection among the papists, that every man, they said, was constrained to stand upon his guard, not even daring to go to church unarmed⁴.

That the same violence by which he had so long been oppressed, might not still reach him, and extort his consent to the militia bill, Charles had resolved to remove farther from London, and accordingly, taking the prince of Wales and the duke of York along with him, he arrived by slow journeys, at York, which he determined for some time to make the place of his residence. The distant parts of the kingdom, being removed from that furious vortex of new principles and opinions which had transported the capital, still retained a sincere regard for the church and monarchy, and the king here found marks of attachment beyond what he had before expected⁵. From all quarters of England, the prime nobility and gentry, either personally, or by messages and letters, expressed their duty towards him, and exhorted him to save himself and them from that ignominious slavery with which they were threatened. The small interval of time which had passed since the fatal accusation of the members, had been sufficient to open the eyes of many, and to recover them from the astonishment with which at first they had been seized. One rash and passionate attempt of the king's seemed but a small counterbalance to so many acts of deliberate violence, which had been offered to him and every branch of the legislature, and, however sweet the sound of liberty, many resolved to adhere to that moderate freedom transmitted them from their ancestors, and now better secured by such important con-

¹ Rushworth, vol v p 532

² Ibid part iii vol i chap iv p 524

³ Clarendon, Rush part iii. vol i chap ii p 495. ⁴ Dugdale, p 89 ⁵ Warwick, p 203.

cessions, rather than by engaging in a giddy search after more independence, run a manifest risk, either of incurring a cruel subjection, or abandoning all law and order.

Charles, finding himself supported by a considerable party in the kingdom, began to speak in a firmer tone, and to retort the accusations of the commons with a vigour which he had not before exerted. Notwithstanding their remonstrances, and menaces, and insults, he still persisted in refusing their bill, and they proceeded to frame an ordinance, in which, by the authority of the two houses, without the king's consent, they named lieutenants for all the counties, and conferred on them the command of the whole military force, of all the guards, garrisons, and forts of the kingdom. He issued proclamations against this manifest usurpation, and, as he professed a resolution strictly to observe the law himself, so was he determined, he said, to oblige every other person to pay it a like obedience. The name of the king was so essential to all laws, and so familiar in all acts of executive authority, that the parliament was afraid, had they totally omitted it, that the innovation would be too sensible to the people. In all commands, therefore, which they conferred, they bound the persons to obey the orders of his majesty, signified by both houses of parliament. And, inventing a distinction, hitherto unheard of, between the office and the person of the king, those very forces which they employed against him, they levied in his name, and by his authority.¹

It is remarkable how much the topics of argument were now reversed between the parties. The king, while he acknowledged his former error, of employing a plea of necessity, in order to infringe the laws and constitution, warned the parliament not to imitate an example on which they threw such violent blame, and the parliament, while they clothed their personal fears of ambition under the appearance of national and imminent danger, made unknowingly an apology for the most exceptionable part of the king's conduct. That the liberties of the people were no longer exposed to any peril from royal authority, so narrowly circumscribed, so exactly defined, so much unsupported by revenue and by military power, might be maintained upon very plausible topics: but that the danger, allowing it to have any existence, was not of that kind, great, urgent, inevitable, which dissolves all law, and levels all limitations, seems apparent from the simplest view of these transactions. So obvious indeed was the king's present inability to invade the constitution, that the fears and jealousies which operated on the people, and pushed them so furiously to arms, were undoubtedly not of a civil, but of a religious nature. The distempered imaginations of men were agitated with a continual dread of popery, with a horror against prelacy, with an antipathy to ceremonies and the liturgy and with a violent affection for whatever was most opposite to these objects of aversion. The fanatical spirit let loose, confounded all regard to ease, safety, interest, and dissolved every moral and civil obligation.²

¹ Rushworth, vol. v. p. 526.

² The great courage and conduct, displayed by many of the popular leaders, have commonly inclined men to do them, in one respect, more honour than they deserve, and to suppose, that, like able politicians, they employed pretences which they secretly despised, in order to serve their selfish purposes. It is, however, probable, if not certain, that they were, generally

Each party was now willing to throw on its antagonist the odium of commencing a civil war, but both of then prepared for an event which they deemed inevitable. To gain the people's favour and good opinion, was the chief point on both sides. Never was there a people less corrupted by vice, and more actuated by principle, than the English during that period: never were there individuals who possessed more capacity, more courage, more public spirit, more disinterested zeal. The infusion of one ingredient, in too large a proportion, had corrupted all these noble principles, and converted them into the most virulent poison. To determine his choice in the approaching contests, every man hearkened with avidity to the reasons proposed on both sides. The war of the pen preceded that of the sword, and daily sharpened the humours of the opposite parties. Besides private adventurers without number, the king and parliament themselves carried on the controversy, by messages, remonstrances, and declarations, where the nation was really the party to whom all arguments were addressed. Charles had here a double advantage. Not only his cause was more favourable, as supporting the ancient government in church and state against the most illegal pretensions: it was also defended with more art and eloquence. Lord Falkland had accepted the office of secretary; a man who adorned the purest virtue with the richest gifts of nature, and the most valuable acquisitions of learning. By him, assisted by the king himself, were the memorials of the royal party chiefly composed. So sensible was Charles of his superiority in this particular, that he took care to disperse everywhere the papers of the parliament together with his own, that the people might be the more enabled, by comparison, to form a judgment between them. the parliament, while they distributed copies of their own, were anxious to suppress all the king's compositions.¹

To clear up the principles of the constitution, to mark the boundaries

speaking, the dupes of their own zeal. Hypocrisy, quite pure and free from fanaticism, is perhaps, except among men fixed in a determined philosophical scepticism, then unknown, as rare as fanaticism entirely purged from all mixture of hypocrisy. So congenial to the human mind are religious sentiments, that it is impossible to counterfeit long these holy fervours, without feeling some share of the assumed warmth: and, on the other hand, so precarious and temporary, from the frailty of human nature, is the operation of these spiritual views, that the religious ecstasies, if constantly employed, must often be counterfeit, and must be warped by those more familiar motives of interest and ambition, which insensibly run upon the mind. This indeed seems the key to most of the celebrated characters of that age. Equally full of fraud and of ardour, these pious patriots talked perpetually of seeking the Lord, yet still pursued their own purposes, and have left a memorable lesson to posterity, how delusive, how destructive, that principle is by which they were animated.

With regard to the people, we can entertain no doubt, that the controversy was, on their part, entirely theological. The generality of the nation could never have flown out into such fury, in order to obtain new privileges and acquire greater liberty than they and their ancestors had ever been acquainted with. Their fathers had been entirely satisfied with the government of Elizabeth. Why should they have been thus thrown into such extreme rage against Charles, who, from the beginning of his reign, wished only to maintain such a government? And why not, at least, compound matters with him, when, by all his laws, it appeared, that he had agreed to depart from it? Especially, as he had put it entirely out of his power to retract that resolution. It is vain, therefore, to dignify this civil war and the parliamentary authors of it, by supposing it to have any other considerable foundation than theological zeal, that great and noted source of animosity among men. The royalists also were very commonly zealous; but as they were, at the same time, maintaining the established constitution, in state as well as church, they had an object which was natural, and which might produce the greatest passion, even without any considerable mixture of theological fervour! *The former part of this note was, in the first editions, a part of the text*

¹ Rushworth, vol. v. p. 751.

of the powers entrusted by law to the several members, to show what great improvements the whole political system had received from the king's late concessions, to demonstrate his entire confidence in his people, and his reliance on their affections, to point out the ungrateful returns which had been made him, and the enormous encroachments, insults and indignities, to which he had been exposed; these were the topics which, with so much justness of reasoning and propriety of expression, were insisted on in the king's declarations and remonstrances¹

Though these writings were of consequence, and tended much to reconcile the nation to Charles, it was evident that they would not be decisive, and that keener weapons must determine the controversy. To the ordinance of the parliament concerning the militia, the king opposed his commissions of array. The counties obeyed the one or the other, according as they stood affected. And in many counties, where the people were divided, mobbish combats and skirmishes ensued². The parliament, on this occasion, went so far as to vote, 'That when the lords and commons in parliament, which is the supreme court of judicature, shall declare what the law of the land is, to have this not only questioned, but contradicted, is a high breach of their privileges.'³ This was a plain assuming of the whole legislative authority, and exerting it in the most material article, the government of the militia. Upon the same principles, they pretended, by a verbal criticism on the tense of a Latin verb, to ravish from the king his negative voice in the legislature⁴.

The magazine of Hull contained the arms of all the forces levied against the Scots, and Sir John Hotham, the governor, though he had

¹ In some of these declarations, supposed to be penned by Lord Falkland, is found the first regular definition of the constitution, according to our present ideas of it, that occurs in any English composition at least any published by authority. The three species of government, monarchical, aristocratical, and democratical, are there plainly distinguished, and the English government is expressly said to be none of them pure, but all of them mixed and tempered together. This style, though the sense of it was implied in many institutions, no former kings of England would have used, and no subject would have been permitted to use. Banks and the crown-lawyer, against Hambden, in the case of ship-money, insist plainly and openly on the king's absolute and sovereign power, and the opposite lawyers do not deny it: they only assert that the subjects have also a fundamental property in their goods, and that no part of them can be taken but by their own consent in parliament. But that the parliament was instituted to check and control the king, and share the supreme power, would, in all former times, have been esteemed very blunt and indiscreet, if not illegal, language. We need not be surprised that governments should so long continue, though the boundaries of authority, in their several branches, be implicit, confused, and undetermined. This is the case all over the world. Who can draw an exact line between the spiritual and temporal powers in catholic states? What code ascertained the precise authority of the Roman Senate, in every occurrence? Perhaps the English is the first mixed government, where the authority of every part has been very accurately defined: and yet there still remain many very important questions between the two houses, that, by common consent, are buried in a discreet silence. The king's power is, indeed, more exactly limited, but this period, of which we now treat, is the time at which the accuracy commenced. And it appears from Warwick and Hobbes, that many royalists blamed this philosophical precision in the king's penman, and thought that the veil was very imprudently drawn over the mysteries of government. It is certain, that liberty reaped mighty advantages from these controversies and enquiries, and the royal authority itself became more secure within those provinces which were assigned to it. *Since the first publication of this history, the Sequel of Lord Clarendon has been published, where that nobleman asserts, that he himself was the author of most of these remonstrances and memorials of the king.*

² May, book ii. p. 99.

³ Rushworth, vol. v. p. 534.

⁴ The king, by his coronation oath, promises that he will maintain the laws and customs which the people had chosen, *quos vulgus elegerit*. The parliament pretended that *elegerit* meant *shall choose*, and consequently, that the king had no right to refuse any bills which should be presented him. Rushworth, vol. v. p. 580.

accepted of a commission from the parliament, was not thought to be much disaffected to the church and monarchy. Charles, therefore, entertained hopes, that, if he presented himself at Hull before the commencement of hostilities, Hotham, overawed by his presence, would admit him with his retinue, after which he might easily render himself master of the place. But the governor was on his guard. He shut the gates, and refused to receive the king, who desired leave to enter with twenty persons only. Charles immediately proclaimed him traitor, and complained to the parliament of his disobedience. The parliament avowed and justified the action.¹

The county of York levied a guard for the king of 600 men, for the kings of England had hitherto lived among their subjects like fathers among their children, and had derived all their security from the dignity of their character, and from the protection of the laws. The two houses, though they had already levied a guard for themselves, had attempted to seize all the military power, all the navy, and all the forts of the kingdom, and had openly employed their authority in every kind of warlike preparations: yet immediately voted, 'That the king, seduced by wicked counsel, intended to make war against his parliament, who, in all their consultations and actions, had proposed no other end, but the care of his kingdoms, and the performance of all duty and loyalty to his person, that this attempt was a breach of the trust reposed in him by his people, contrary to his oath, and tending to a dissolution of the government, and that whoever should assist him in such a war, were traitors by the fundamental laws of the kingdom.'²

The armies, which had been everywhere raised on pretence of the service in Ireland, were henceforth more openly enlisted by the parliament for their own purposes, and the command of them was given to the Earl of Essex. In London no less than four thousand men enlisted in one day.³ And the parliament voted a declaration, which they required every member to subscribe, that they would live and die with their general.

They issued orders (June 10th, 1642,) for bringing loans of money and plate, in order to maintain forces which should defend the king and both houses of parliament. For this style they still preserved. Within ten days, vast quantities of plate were brought to their treasurers. Hardly were there men enough to receive it, or room sufficient to stow it. And many, with regret, were obliged to carry back their offerings, and wait till the treasurers could find leisure to receive them. Such zeal animated the pious partizans of the parliament, especially in the city.⁴ The women gave up all the plate and ornaments of their houses, and even their silver thimbles and bodkins, in order to support the 'good cause' against the malignants.⁵

Meanwhile the splendor of the nobility, with which the king was environed, much eclipsed the appearance at Westminster. Lord Keeper Littleton, after sending the great seal before him, had fled to York. About forty peers of the first rank attended the king,⁶ whilst

¹ Whitlocke, p. 55. Rushworth, vol. v. p. 565, &c. May, book ii. p. 51.

² Whitlocke, p. 57. Rushworth, vol. v. p. 717. Dugdale, p. 93. May, book ii. p. 54.

³ Vicar's God in the Mount. ⁴ Whitlocke, p. 53. Dugdale, pp. 96, 99. ⁵ May, book ii. p. 59.

the house of lords seldom consisted of more than sixteen members. Near the moiety too of the lower house absented themselves from counsels, which they deemed so full of danger. The commons sent up an impeachment against nine peers, for deserting their duty in parliament. Their own members also, who should return to them, they voted not to admit, till satisfied concerning the reason of their absence.

Charles made a declaration to the peers, who attended him, that he expected from them no obedience to any commands which were not warranted by the laws of the land. The peers answered this declaration by a protest, in which they declared their resolution to obey no commands but such as were warranted by that authority¹. By these deliberate engagements, so worthy of an English prince and English nobility, they meant to confound the furious and tumultuary resolutions taken by the parliament.

The queen, disposing of the crown-jewels in Holland, had been enabled to purchase a cargo of arms and ammunition. Part of these, after escaping many perils, arrived safely to the king. His preparations were not near so forward as those of the parliament. In order to remove all jealousy, he had resolved, that their usurpations and illegal pretensions should be apparent to the whole world, and thought, that, to recover the confidence of the people, was a point much more material to his interest, than the collecting of any magazines, stores, or armies, which might breed apprehensions of violent or illegal counsels. But the urgent necessity of his situation no longer admitted of delay. He now prepared himself for defence. With a spirit, activity, and address, which neither the one party apprehended, nor the other expected, he employed all the advantages which remained to him, and roused up his adherents to arms. The resources of this prince's genius increased in proportion to his difficulties, and he never appeared greater than when plunged into the deepest perils and distresses. From the mixed character, indeed, of Charles, arose in part the misfortunes in which England was at this time involved. His political errors, or rather weaknesses, had raised him inveterate enemies; his eminent moral virtues had procured him zealous partisans. And between the hatred of the one, and the affections of the other, was the nation agitated with the most violent convulsions.

That the king might despair of all composition, the parliament sent him the conditions on which they were willing to come to an agreement. Their demands, contained in nineteen propositions, amounted to a total abolition of monarchical authority. They required, that no man should remain in the council, who was not agreeable to parliament, that no deed of the king's should have validity, unless it passed the council, and was attested under their hand, that all the officers of state and principal judges should be chosen with consent of parliament, and enjoy their offices for life, that none of the royal family should marry without consent of parliament or council, that the laws should be executed against catholics, that the votes of popish lords should be excluded, that the reformation of the liturgy and church-government should have place, according to advice of parliament,

¹ Rushworth, vol. v. pp. 626, 627, May, book ii. p. 86. Warwick, p. 220.

that the ordinance, with regard to the militia, be submitted to, that the justice of parliament pass upon all delinquents, that a general pardon be granted, with such exceptions as should be advised by parliament, that the forts and castles be disposed of by consent of parliament, and that no peer be made but with consent of both houses¹

'Should I grant these demands,' said the king, in reply, 'I may be waited on bareheaded, I may have my hand kissed, the title of Majesty may be continued to me, and 'The king's authority, signified by both houses,' may still be the style of your commands, I may have swords and maces carried before me, and please myself with the sight of a crown and sceptre (though even these twigs would not long flourish, when the stock upon which they grew was dead) But as to true and real power, I should remain but the outside, but the picture, but the sign of a king.'² War on any terms was esteemed by the king and all his counsellors, preferable to so ignominious a peace Charles accordingly resolved to support his authority by arms 'His towns,' he said, 'were taken from him, his ships, his arms, his money, but there still remained to him a good cause, and the hearts of his loyal subjects, which, with God's blessing, he doubted not, would recover all the rest' Collecting therefore some forces, he advanced southwards, and at Nottingham he (August 25th) erected his royal standard, the open signal of discord and civil war throughout the kingdom.

CHAPTER LVI.

Commencement of the civil war—State of parties—Battle of Edgehill—Negociation at Oxford—Victories of the royalists in the west—Battle of Stratton—Of Lansdown—Of Roundway-down—Death of Hambden—Bristol taken—Siege of Gloucester—Battle of Newbury—Actions in the north of England—Solemn league and covenant—Arriving of the Scots—State of Ireland

WHEN two names, so sacred in the English constitution as those of King and Parliament, were placed in opposition, no wonder the people were divided in their choice, and were agitated with the most violent animosities and factions

The nobility and more considerable gentry, dreading a total confusion of rank from the fury of the populace, enlisted themselves in defence of the monarch, from whom they received, and to whom they communicated their lustre Animated with the spirit of loyalty, derived from their ancestors, they adhered to the ancient principles of the constitution, and valued themselves on exerting the maxims, as well as inheriting the possessions, of the old English families And while they passed their time mostly at their country-seats, they were surprised to hear of opinions prevailing, with which they had ever

¹ Rushworth, vol v p 722, May, book ii p 54

² Rushworth, vol v p 728, Warwick, p 139

been unacquainted, and which implied, not a limitation, but an abolition almost total, of monarchical authority.

The city of London, on the other hand, and most of the great corporations, took part with the parliament, and adopted with zeal those democratical principles on which the pretensions of that assembly were founded. The government of cities, which even under absolute monarchies is commonly republican, inclined them to this party. The small hereditary influence, which can be retained over the industrious inhabitants of towns, the natural independence of citizens; and the force of popular currents over those more numerous associations of mankind, all these causes gave, there, authority to the new principles propagated throughout the nation. Many families too, which had lately been enriched by commerce, saw with indignation, that, notwithstanding their opulence, they could not raise themselves to a level with the ancient gentry. They therefore adhered to a power, by whose success they hoped to acquire rank and consideration.¹ And the new splendour and glory of the Dutch commonwealth, where liberty so happily supported industry, made the commercial part of the nation desire to see a like form of government established in England.

The genius of the two religions, so closely at this time interwoven with politics, corresponded exactly to these divisions. The presbyterian religion was new, republican, and suited to the genius of the populace. The other had an air of greater show and ornament, was established on ancient authority, and bore an affinity to the kingly and aristocratical parts of the constitution. The devotees of presbytery became of course zealous partizans of the parliament. The friends of the episcopal church valued themselves on defending the rights of monarchy.

Some men also there were of liberal education, who, being either careless or ignorant of those disputes, bandied about by the clergy of both sides, aspired to nothing but an easy enjoyment of life, amidst the jovial entertainment and social intercourse of their companions. All these flocked to the king's standard, where they breathed a freer air, and were exempted from that rigid preciseness and melancholy austerity, which reigned among the parliamentary party.

Never was a quarrel more unequal than seemed at first that between the contending parties. Almost every advantage lay against the royal cause. The king's revenue had been seized, from the beginning, by the parliament, who issued out to him, from time to time, small sums for his present subsistence, and as soon as he withdrew to York, they totally stopped all payments. London and all the sea-ports, except Newcastle, being in their hands, the customs yielded them a certain and considerable supply of money, and all contributions, loans, and impositions, were more easily raised from the cities, which possessed the ready money, and where men lived under their inspection, than they could be levied by the king in those open countries, which, after some time, declared for him.

The seamen naturally followed the disposition of the sea-ports to which they belonged. And the Earl of Northumberland, lord admiral,

¹ Clarendon, vol. iii p. 4.

having embraced the party of the parliament, had appointed, at their desire, the Earl of Warwick to be his lieutenant, who at once established his authority in the fleet, and kept the entire dominion of the sea in the hands of that assembly.

All the magazines of arms and ammunition were from the first seized by the parliament, and their fleet intercepted the greater part of those which were sent by the queen from Holland. The king was obliged, in order to arm his followers, to borrow the weapons of the train-bands, under promise of restoring them as soon as peace should be settled in the kingdom.

The veneration for parliaments was at this time extreme throughout the nation¹. The custom of reviling those assemblies for corruption, as it had no pretence, so was it unknown, during all former ages. Few or no instances of their encroaching ambition or selfish claims had hitherto been observed. Men considered the house of commons in no other light than as the representatives of the nation, whose interest was the same with that of the public, who were the eternal guardians of law and liberty, and whom no motive, but the necessary defence of the people, could ever engage in an opposition to the crown. The torrent, therefore, of general affection ran to the parliament. What is the great advantage of popularity, the privilege of affixing epithets, fell of course to that party. The king's adherents were the *Wicked* and the *Malignant*. Their adversaries were the *Godly* and the *Well-affected*. And as the force of the cities was more united than that of the country, and at once gave shelter and protection to the parliamentary party, who could easily suppress the royalists in their neighbourhood, almost the whole kingdom, at the commencement of the war, seemed to be in the hands of the parliament².

What alone gave the king some compensation for all the advantages possessed by his adversaries, was the nature and qualities of his adherents. More bravery and activity were hoped for, from the generous spirit of the nobles and gentry, than from the base disposition of the multitude. And as the men of estates, at their own expense, levied and armed their tenants, besides an attachment to their masters, greater force and courage were to be expected in these rustic troops, than in the vicious and enervated populace of cities.

The neighbouring states of Europe, being engaged in violent wars, little interested themselves in these civil commotions, and this island enjoyed the singular advantage (for such it surely was) of fighting out its own quarrels without the interposition of foreigners. France, from policy, had fomented the first disorders in Scotland, had sent over arms to the Irish rebels, and continued to give countenance to the English parliament. Spain, from bigotry, furnished the Irish with some supplies of money and arms. The prince of Orange, closely allied to the crown, encouraged English officers, who served in the Low Countries, to enlist in the king's army. The Scottish officers, who had been formed in Germany, and in the late commotions, chiefly took part with the parliament.

The contempt entertained by the parliament for the king's party was so great, that it was the chief cause of pushing matters to such

¹ Walker, p. 336

² Warwick, p. 318

extremities against him; and many believed that he never would attempt resistance, but must soon yield to the pretensions, however enormous, of the two houses. Even after his standard was erected, men could not be brought to apprehend the danger of a civil war; nor was it imagined that he would have the imprudence to enrage his implacable enemies, and render his own condition more desperate, by opposing a force which was so much superior. The low condition in which he appeared at Nottingham confirmed all these hopes. His artillery, though far from numerous, had been left at York for want of horses to transport it. Besides the trained bands of the county, raised by Sir John Digby, the sheriff, he had not gotten together above 300 infantry. His cavalry, in which consisted his chief strength, exceeded not 800, and were very ill provided with arms. The forces of the parliament lay at Northampton, within a few days' march of him, and consisted of above 6000 men, well armed and well appointed. Had these troops advanced upon him, they must soon have dissipated the small force which he had assembled. By pursuing him in his retreat, they had so discredited his cause, and discouraged his adherents, as to have for ever prevented his collecting an army able to make head against them. But the earl of Essex, the parliamentary general, had not yet received any orders from his masters¹. What rendered them so backward, after such precipitate steps as they had formerly taken, is not easily explained. It is probable, that in the extreme distress of his party consisted the present safety of the king. The parliament hoped, that the royalists, sensible of their feeble condition, and convinced of their slender resources, would disperse of themselves, and leave their adversaries a victory, so much the more complete and secure, as it would be gained without the appearance of force, and without bloodshed. Perhaps too, when it became necessary to make the concluding step, and offer barefaced violence to their sovereign, their scruples and apprehensions, though not sufficient to overcome their resolutions, were able to retard the execution of them².

Sir Jacob Astley, whom the king had appointed major-general of his intended army, told him, that he could not give him assurance but he might be taken out of his bed, if the rebels should make a brisk attempt to that purpose. All the king's attendants were full of well-grounded apprehensions. Some of the lords having desired that a message might be sent to the parliament, with overtures to a treaty, Charles, who well knew that an accommodation, in his present condition, meant nothing but a total submission, hastily broke up the council, lest this proposal should be further insisted on. But next day, the earl of Southampton, whom no one could suspect of base or timid sentiments, having offered the same advice in council, it was hearkened to with more coolness and deliberation. He urged, that though such a step would probably increase the insolence of the parliament, this was so far from being an objection, that such dispositions must necessarily turn to the advantage of the royal cause. That if they refused to treat, which was more probable, the very sound of peace was so popular, that nothing could more disgust the nation than such haughty

¹ Clarendon, vol. iii. pp. 1, 2.

² Idem, *ibid.* p. 18.

severely That if they admitted of a treaty, their proposals, considering their present situation, would be so exorbitant, as to open the eyes of their most partial adherents, and turn the general favour to the king's party And that, at worst, time might be gained by this expedient, and a delay of the imminent danger with which the king was at present threatened¹

Charles, on assembling the council, had declared against all advances towards an accommodation, and had said, that, having now nothing left him but his honour, this last possession he was resolved steadily to preserve, and rather to perish than yield any farther to the pretensions of his enemies² But, by the unanimous desire of the counsellors, he was prevailed on to embrace Southampton's advice That nobleman, therefore, with Sir John Colepeper and Sir William Uvedale, was dispatched to London, with offers of a treaty³ The manner in which they were received gave little hopes of success Southampton was not allowed by the peers to take his seat, but was ordered to deliver his message to the usher, and immediately to depart the city The Commons showed little better disposition towards Colepeper and Uvedale⁴ Both houses replied, that they could admit of no treaty with the king, till he took down his standard, and recalled his proclamations, in which the parliament supposed themselves to be declared traitors The king, by a second message, denied any such intention against the two houses, but offered to recall these proclamations, provided the parliament agreed to recall theirs, in which his adherents were declared traitors They desired him, in return, to dismiss his forces, to reside with his parliament, and to give up delinquents to their justice, that is, abandon himself and his friends to the mercy of his enemies⁵ Both parties flattered themselves, that, by these messages and replies, they had gained the ends which they proposed⁶ The king believed that the people were made sufficiently sensible of the parliament's insolence and aversion to peace. The parliament intended, by this vigour in their resolutions, to support the vigour of their military operations

The courage of the parliament was increased, besides their great superiority of force, by two recent events, which had happened in their favour Goring was governor of Portsmouth, the best fortified town in the kingdom, and, by its situation, of great importance This man seemed to have rendered himself an implacable enemy to the king, by betraying, probably magnifying, the secret cabals of the army, and the parliament thought that his fidelity to them might, on that account, be entirely depended on But the same levity of mind still attended him, and the same disregard to engagements and professions He took underhand his measures with the court, and declared against the parliament But, though he had been sufficiently supplied with money, and long before knew his danger, so small was his foresight, that he had left the place entirely destitute of provisions, and in a few days, he was obliged to surrender to the parliamentary forces⁷

¹ Clarendon, vol. iii. p. 7

² Idem, ibid.

³ Rush vol. v. p. 784

⁴ Clarendon, vol. iii. p. 102.

⁵ Rushworth, vol. v. p. 768 Dugdale, p. 102

⁶ Whitlocke, p. 59.

⁷ Rushworth, vol. v. p. 683, Whitlocke, p. 60, Clarendon, vol. iii. p. 19

The Marquis of Hertford was a nobleman of the greatest quality and character in the kingdom, and, equally with the king, descended, by a female, from Henry VII. During the reign of James, he had attempted, without having obtained the consent of that monarch, to marry Arabella Stuart, a lady nearly related to the crown, and, upon discovery of his intentions, had been obliged, for some time, to fly the kingdom. Ever after, he was looked on with an evil eye at court, from which, in a great measure, he withdrew, and living in an independent manner, he addicted himself entirely to literary occupations and amusements. In proportion as the king declined in popularity, Hertford's character flourished with the people, and when this parliament assembled, no nobleman possessed more general favour and authority. By his sagacity, he soon perceived, that the commons, not content with correcting the abuses of government, were carried, by the natural current of power and popularity, into the opposite extreme, and were committing violations, no less dangerous than the former, upon the English constitution. Immediately he devoted himself to the support of the king's falling authority, and was prevailed with to be governor to the young prince, and reside at court, to which, in the eyes of all men, he gave, by his presence, a new lustre and authority. So high was his character for mildness and humanity, that he still preserved, by means of these popular virtues, the public favour; and every one was sensible of the true motive of his change. Notwithstanding his habits of ease and study, he now exerted himself in raising an army for the king, and being named general of the western counties, where his interest chiefly lay, he began to assemble forces in Somersetshire. By the assistance of Lord Seymour, Lord Paulet, John Digby, son of the Earl of Bristol, Sir Francis Hawley, and others, he had drawn together some appearance of an army, when the parliament, apprehensive of the danger, sent the Earl of Bedford with a considerable force against him. On his approach, Hertford was obliged to retire into Sherborne castle, and, finding that place untenable, he himself passed over into Wales, leaving Sir Ralph Hopton, Sir John Berkeley, Digby, and other officers, with their horse, consisting of about 120, to march into Cornwall, in hopes of finding that county better prepared for their reception.¹

All the dispersed bodies of the parliamentary army were now ordered to march to Northampton, and the Earl of Essex, who had joined them, found the whole amount to 15,000 men.² The king, though his camp had been gradually reinforced from all quarters, was sensible that he had no army which could cope with so formidable a force, and he thought it prudent, by slow marches, to retire to Derby, thence to Shrewsbury, in order to countenance the levies which his friends were making in those parts. At Wellington, a day's march from Shrewsbury, he made a rendezvous of all his forces, and caused his military orders to be read at the head of every regiment. That he might bind himself by reciprocal ties, he solemnly made the following declaration before his whole army —

‘I do promise, in the presence of Almighty God, and as I hope for his blessing and protection, that I will, to the utmost of my power,

¹ Clarendon, vol. vi pp. 2, 3, &c

² Whitlocke, p. 60.

‘defend and maintain the true reformed protestant religion, established in the Church of England, and, by the grace of God, in the same will live and die.

‘I desire that the laws may ever be the measure of my government, and that the liberty and property of the subject may be preserved by them with the same care as my own just rights And if it please God, by his blessing on this army, raised for my necessary defence, to preserve me from the present rebellion, I do solemnly and faithfully promise, in the sight of God, to maintain the just privileges and freedom of parliament, and to govern to the utmost of my power, by the known statutes and customs of the kingdom, and particularly to observe inviolably the laws to which I have given my consent this parliament. Meanwhile, if this emergence and the great necessity to which I am driven beget any violation of law, I hope it shall be imputed by God and man to the authors of this war, not to me, who have so earnestly laboured to preserve the peace of the kingdom

‘When I willingly fail in these particulars, I shall expect no aid or relief from man, nor any protection from above But in this resolution I hope for the cheerful assistance of all good men, and am confident of the blessing of heaven ’¹

Though the concurrence of the church undoubtedly increased the king’s adherents, it may safely be affirmed that the high monarchical doctrines so much inculcated by the clergy, had never done him any real service The bulk of that generous train of nobility and gentry who now attended the king in his distresses, breathed the spirit of liberty as well as of loyalty, and in the hopes alone of his submitting to a legal and limited government, were they willing, in his defence, to sacrifice their lives and fortunes

While the king’s army lay at Shrewsbury, and he was employing himself in collecting money, which he received, though in no great quantities, by voluntary contributions, and by the plate of the universities which was sent him, the news arrived of an action, the first which had happened in these wars, and where he was successful

On the appearance of commotions in England, the princes Rupert and Maurice, sons of the unfortunate Palatine, had offered their service to the king, and the former at that time commanded a body of horse, which had been sent to Worcester, in order to watch the motions of Essex, who was marching towards that city No sooner had the prince arrived than he saw some cavalry of the enemy approaching the gates Without delay he briskly attacked them as they were defiling from a lane, and forming themselves Colonel Sandys, who led them, and who fought with valour, being mortally wounded fell from his horse The whole party was routed, and was pursued above a mile The prince hearing of Essex’s approach returned to the main body² This rencounter, though in itself of small importance, mightily raised the reputation of the royalists, and acquired to Prince Rupert the character of promptitude and courage—qualities which he eminently displayed during the whole course of the war

The king, on mustering his army, found it amount to 10,000 men.

¹ Clarendon, vol. iii pp 16, 17, Dugdale, p 104

² Clarendon, vol. iii p 25, May, book iii p 10

The Earl of Lindesay, who in his youth had sought experience of military service in the Low Countries,¹ was general, Prince Rupert commanded the horse, Sir Jacob Astley the foot, Sir Arthur Aston the dragoons, Sir John Heydon the artillery. Lord Bernard Stuart was at the head of a troop of guards. The estates and revenue of this single troop, according to Lord Clarendon's computation, were at least equal to those of all the members, who, at the commencement of the war, voted in both houses. Their servants, under the command of Sir William Killigrew, made another troop, and always marched with their masters.²

With this army the king (October 12) left Shrewsbury, resolving to give battle as soon as possible to the army of the parliament, which, he heard, was continually augmenting by supplies from London. In order to bring on an action, he directed his march towards the capital, which he knew the enemy would not abandon to him. Essex had now received his instructions. The import of them was, to present a most humble petition to the king, and to rescue him and the royal family from those desperate malignants who had seized their persons.³ Two days after the departure of the royalists from Shrewsbury he left Worcester. Though it be commonly easy in civil wars to get intelligence, the armies were within six miles of each other ere either of the generals was acquainted with the approach of his enemy. Shrewsbury and Worcester, the places from which they set out, are not above twenty miles distant, yet had the two armies marched ten days in this mutual ignorance. So much had military skill during a long peace decayed in England.⁴

The royal army lay near Banbury; that of the parliament at Keinton, in the county of Warwick. Prince Rupert sent intelligence of the enemy's approach. Though the day (October 23) was far advanced, the king resolved upon the attack. Essex drew up his men to receive him. Sir Faithful Fortescue, who had levied a troop for the Irish wars, had been obliged to serve in the parliamentary army, and was now posted on the left wing, commanded by Ramsay, a Scotchman. No sooner did the king's army approach than Fortescue, ordering his troop to discharge their pistols in the ground, put himself under the command of Prince Rupert. Partly from this incident, partly from the furious shock made upon them by the prince, that whole wing of cavalry immediately fled, and were pursued for two miles. The right wing of the parliament's army had no better success. Chased from their ground by Wilmot and Sir Arthur Aston, they also took to flight. The king's body of reserve, commanded by Sir John Byron, judging, like raw soldiers, that all was over, and impatient to have some share in the action, heedlessly followed the chase, which their left wing had precipitately led them. Sir William Balfour, who commanded Essex's reserve, perceived the advantage. He wheeled about upon the king's infantry, now quite unfurnished of horse, and he made great havoc among them. Lindesay, the general, was mortally wounded and taken prisoner. His son endeavouring his rescue fell likewise into the enemy's hands. Sir Edmund Verney, who carried

¹ Then Lord Willoughby

² Clarendon, vol. iii p. 47, Warwick, p. 231

³ Whitlocke, p. 59, Clarendon, vol. iii pp. 27, 28, &c.

⁴ Clarendon, vol. iii p. 44

the king's standard, was killed and the standard taken, but it was afterwards recovered. In this situation Prince Rupert, on his return, found affairs everything bore the appearance of a defeat instead of a victory, with which he had hastily flattered himself. Some advised the king to leave the field, but that prince rejected such pusillanimous counsel. The two armies faced each other for some time, and neither of them retained courage sufficient for a new attack. All night they lay under arms, and next morning found themselves in sight of each other. General as well as soldier on both sides seemed averse to renew the battle. Essex first drew off, and retired to Warwick. The king returned to his former quarters. Five thousand men are said to have been found dead on the field of battle, and the loss of the two armies, as far as we can judge by the opposite accounts, was nearly equal. Such was the event of this first battle, fought at Keinton, or Edge Hill.¹

Some of Essex's horse, who had been driven off the field in the beginning of the action, flying to a great distance, carried news of a total defeat, and struck a mighty terror into the city and parliament. After a few days a more just account arrived, and then the parliament pretended to a complete victory.² The king, also, on his part was not wanting to display his advantages, though, except the taking of Banbury a few days after, he had few marks of victory to boast of. He continued his march and took possession of Oxford, the only town in his dominions which was altogether at his devotion.

After the royal army was recruited and refreshed, as the weather still continued favourable, it was again put in motion. A party of horse approached to Reading, of which Martin was appointed governor by the parliament. Both governor and garrison were seized with a panic, and fled with precipitation to London. The king, hoping that everything would yield before him, advanced with his whole army to Reading. The parliament, who, instead of their fond expectations that Charles would never be able to collect an army, had now the prospect of a civil war, bloody and of uncertain event—were further alarmed at the near approach of the royal army, while their own forces lay at a distance. They voted an address for a treaty. The king's nearer approach to Colchester quickened their advances for peace. Northumberland and Pembroke, with three commons, presented the address of both houses, in which they besought his Majesty to appoint some convenient place where he might reside till committees could attend him with proposals. The king named Windsor, and desired that their garrison might be removed, and his own troops admitted into that castle.³

Meanwhile Essex, advancing by hasty marches, had arrived at London, but neither the presence of his army, nor the precarious hopes of a treaty, retarded the king's approaches. Charles attacked (November 30, 1642) at Brentford two regiments quartered there, and after a sharp action beat them from that village, and took about 500 prisoners. The parliament had sent orders to forbear all hostilities,

¹ Clarendon, vol. iii. p. 44, &c., May, book iii. p. 16, &c.

² Whitlocke, p. 61, Clarendon, vol. iii. p. 59.

³ Whitlocke, p. 62, Clarendon, vol. iii. p. 73.

and had expected the same from the king, though no stipulations to that purpose had been mentioned by their commissioners. Loud complaints were raised against this attack, as if it had been the most apparent perfidy and breach of treaty¹. Inflamed with resentment, as well as anxious for its own safety, the city marched its trained bands in excellent order, and joined the army under Essex. The parliamentary army now amounted to above 24,000 men, and was much superior to that of the king². After both armies had faced each other for some time, Charles drew off and retired to Reading, thence to Oxford.

While the principal armies on both sides were kept in inaction by the winter season, the king and parliament were employed in real preparations for war, and in seeming advances towards peace. By means of contributions or assessments levied by the horse Charles maintained his cavalry, by loans and voluntary presents sent him from all parts of the kingdom he supported his infantry, but the supplies were still very unequal to the necessities under which he laboured.³ The parliament had much greater resources for money, and had, by consequence, every military preparation in much greater order and abundance. Besides an imposition levied in London, amounting to the five-and-twentieth part of every one's substance, they established on that city a weekly assessment of 10,000*l*, and another of 23,518*l* on the rest of the kingdom.⁴ And as their authority was at present established in most counties, they levied these taxes with regularity, though they amounted to sums much greater than the nation had formerly paid to the public.

The king and parliament sent reciprocally their demands, and a treaty commenced, but without any cessation of hostilities as had at first been proposed. The Earl of Northumberland and four members of the lower house came to Oxford as commissioners.⁵ In this treaty the king perpetually insisted on the re-establishment of the crown in its legal powers, and on the restoration of his constitutional prerogative.⁶ The parliament still required new concessions, and a further abridgment of regal authority as a more effectual remedy to their fears and jealousies. Finding the king supported by more forces and a greater party than they had ever looked for, they seemingly abated somewhat of those extravagant conditions which they had formerly claimed, but then demands were still too high for an equal treaty. Besides other articles to which a complete victory alone could entitle them, they required the king in express terms utterly to abolish episcopacy, a demand which before they had only insinuated. And they required that all other ecclesiastical contrivances should be determined by '*their*' assembly of divines, that is, in the manner the most repugnant to the inclinations of the king and all his partizans. They insisted that he should submit to the punishment of his most faithful adherents, and they desired him to acquiesce in their settlement of the militia, and to confer on their adherents the entire power of the sword. In answer to the king's proposal, that his magazines, towns, forts and

¹ Whitlocke, p. 62, Clarendon, vol. iii p. 75

² Clarendon, vol. iii p. 87

³ Whitlocke, p. 64

⁴ Whitlocke, p. 62

⁵ Clarendon, vol. iii p. 171.

⁶ Rush vol. vi p. 202

ships, should be restored to him, the parliament required that they should be put into such hands as they could confide in¹. The nineteen propositions which they formerly sent to the king, showed their *inclination* to abolish monarchy. They only asked at present the *power* of doing it. And having now in the eye of the law been guilty of treason by levying war against their sovereign, it is evident that their fears and jealousies must, on that account, have multiplied extremely, and have rendered their personal safety, which they interwove with the safety of the nation, still more incompatible with the authority of the monarch. Though the gentleness and lenity of the king's temper might have ensued them against schemes of future vengeance, they preferred, as is no doubt natural, an independent security, accompanied, too, with sovereign power to the station of subjects, and that not entirely guarded from all apprehensions of danger.²

The conferences went no farther than the first demand on each side. The parliament, finding that there was no likelihood of coming to any agreement, suddenly recalled their commissioners.

A military enterprise, which they had conceived early in the spring, was immediately undertaken. Reading, the garrison of the king's, which lay nearest to London, was esteemed a place of considerable strength, in that age, when the art of attacking towns was not well understood in Europe, and was totally unknown in England. The earl of Essex (April 15th, A.D. 1643), sat down before this place with an army of 18,000 men, and carried on the siege by regular approaches. Sir Arthur Aston, the governor, being wounded, colonel Fielding succeeded to the command. In a little time the town was found to be no longer in a condition of defence, and though the king approached, with an intention of obliging Essex to raise the siege, the disposition of the parliamentary army was so strong, as rendered the design impracticable. Fielding, therefore, was contented (April 27) to yield the town, on condition that he should bring off all the garrison with the honours of war, and deliver up deserters. This last article was thought so ignominious and so prejudicial to the king's interests, that the governor was tried by a council of war, and condemned to lose his

¹ Rushworth, vol. vi. p. 166. Clarendon, vol. iii. p. 119.

² Whitlocke, who was one of the commissioners, says, p. 65, 'In this treaty the king manifested his great parts and abilities, strength of reason and quickness of apprehension, with much patience in hearing what was objected against him, wherein he allowed all freedom, and would himself sum up the arguments, and give a most clear judgment upon them. His unhappiness was, that he had a better opinion of others' judgments than of his own, though they were weaker than his own, and of this the parliament commissioners had experience to their great trouble. They were often waiting on the king, and debating some points of the treaty with him, until midnight, before they could come to a conclusion. Upon one of the most material points, they pressed his majesty with their reasons and best arguments they could use to grant what they desired. The king said he was fully satisfied, and promised to give them his answer in writing according to their desire, but because it was then past midnight, and too late to put it into writing, he would have it drawn up next morning (when he commanded them to wait on him again), and then he would give them his answer in writing, as it was now agreed upon. But next morning the king told them, that he had altered his mind and some of his friends, of whom the commissioners enquired, told them, that after they were gone, and even his council retired, some of his bed-chamber never left pressing and persuading him till they prevailed on him to change his former resolutions.' It is difficult, however, to conceive, that any negotiation could have succeeded between the king and parliament, while the latter insisted, as they did all along, on a total submission to all their demands, and challenged the whole power, which they professedly intended to employ, to the punishment of all the king's friends.

life, for consenting to it His sentence was afterwards remitted by the king.¹

Essex's army had been fully supplied with all necessaries from London even many superfluities and luxuries were sent them by the care of the zealous citizens yet the hardships, which they suffered from the siege, during so early a season, had weakened them to such a degree, that they were no longer fit for any new enterprise. And the two armies, for some time, encamped in the neighbourhood of each other, without attempting, on either side, any action of moment.

Besides the military operations between the principal armies, which lay in the centre of England, each county, each town, each family almost, was divided within itself, and the most violent convulsions shook the whole kingdom. Throughout the winter, continual efforts had everywhere been made by each party to surmount its antagonist; and the English, roused from the lethargy of peace, with eager, though unskilful hands, employed against their fellow-citizens their long-neglected weapons. The furious zeal for liberty and presbyterian discipline, which had hitherto run uncontrolled throughout the nation, now at last excited an equal ardour for monarchy and episcopacy, when the intention of abolishing these ancient modes of government was openly avowed by the parliament. Conventions for neutrality, though, in several counties, they had been entered into, and confirmed by the most solemn oaths, yet being voted illegal by the two houses, were immediately broken,² and the fire of discord was spread into every quarter. The altercation of discourse, the controversies of the pen, but, above all, the declamations of the pulpit, indisposed the minds of men towards each other, and propagated the blind rage of party.³ Fierce, however, and inflamed as were the dispositions of the English, by a war both civil and religious, that great destroyer of humanity, all the events of this period are less distinguished by atrocious deeds either of treachery or cruelty, than were ever any intestine discords, which had so long a continuance. A circumstance which will be found to reflect great praise on the national character of that people, now so unhappily roused to arms.

In the north, lord Fairfax commanded for the parliament, the earl of Newcastle for the king. The latter nobleman began those associations, which were afterwards so much practised in other parts of the kingdom. He united in a league for the king the counties of Northumberland, Cumberland, Westmoreland, and the Bishopric, and engaged, some time after, other counties in the same association. Finding that Fairfax, assisted by Hotham and the garrison of Hull, was making progress in the southern parts of Yorkshire, he advanced with a body of 4,000 men, and took possession of York. At Tadcaster, he attacked the forces of the parliament, and dislodged them but his victory was not decisive. In other rencounters he obtained some inconsiderable advantages. But the chief benefit, which resulted from his enterprises, was the establishing of the king's authority in all the northern provinces of England.

In another part of the kingdom, Lord Broke was killed by a shot

¹ Rush. vol vi p 265, &c. Clarendon, vol iii pp 237, 238, &c.
² Clarendon, vol iii pp 137, 139 ³ Dugdale, p 95

while he was taking possession of Litchfield for the parliament¹ After a short combat, near Stafford, between the Earl of Northampton and Sir John Gell, the former, who commanded the king's forces, was killed while he fought with great valour, and his forces, discouraged by his death though they had obtained the advantage in the action, retreated into the town of Stafford²

Sir William Waller began to distinguish himself among the generals of the parliament Active and indefatigable in his operations, rapid and enterprising, he was fitted by his genius to the nature of the war which, being managed by raw troops, conducted by unexperienced commanders, afforded success to every bold and sudden undertaking After taking Winchester and Chichester, he advanced towards Gloucester, which was in a manner blockaded by Lord Herbert, who had levied considerable forces in Wales for the royal party³ While he attacked the Welsh on one side, a sally from Gloucester made impression on the other Herbert was defeated, 500 of his men killed on the spot, 1,000 taken prisoners, and he himself escaped with some difficulty to Oxford Hereford, esteemed a strong town, defended by a considerable garrison, was surrendered to Waller, from the cowardice of Colonel Price, the governor Tewkesbury underwent the same fate Worcester refused him admittance, and Waller, without placing any garrisons in his new conquests, retired to Gloucester, and he thence joined the army under the Earl of Essex⁴

But the most memorable actions of valour, during this winter-season, were performed in the west When Sir Ralph Hopton, with his small troop, retired into Cornwall before the Earl of Bedford, that nobleman, despising so inconsiderable a force, abandoned the pursuit, and committed the care of suppressing the royal party to the sheriffs of the county But the affections of Cornwall were much inclined to the king's service While Sir Richard Buller and Sir Alexander Carew lay at Launceston, and employed themselves in executing the parliament's ordinance for the militia, a meeting of the county was assembled at Truro, and after Hopton produced his commission from the Earl of Hertford, the king's general, it was agreed to execute laws, and to expel these invaders of the county The train-bands were accordingly levied, Launceston taken, and all Cornwall reduced to peace and to obedience under the king

It had been usual for the royal party, on the commencement of these disorders, to claim, on all occasions, the strict execution of the laws, which, they knew, were favourable to them, and the parliament, rather than have recourse to the plea of necessity, and vow the transgression of any statute, had also been accustomed to waive the laws, and, by

¹ He had taken possession of Litchfield, and was viewing from a window St. Chad's cathedral, in which a party of the royalists had fortified themselves He was cased in complete armour, but was shot through the eye by a random ball Lord Brooke was a zealous puritan and had formerly said, that he hoped to see with his eyes the ruin of all the cathedrals of England It was a superstitious remark of the royalists, that he was killed on St. Chad's day by a shot from St. Chad's cathedral, which pierced that very eye by which he hoped to see the ruin of all cathedrals Dugdale, p. 118, Clarendon, &c.

² Whitlocke, p. 66, Rush, vol. vi p. 152, Clarendon, vol. iii p. 151

³ Rush, vol. vi pp. 92, 100.

⁴ Rush, vol. vi p. 263

forced constructions, to interpret them in their own favour¹. But though the king was naturally the gainer by such a method of conducting war, and it was by favour of law that the train-bands were raised in Cornwall, it appeared that those maxims were now prejudicial to the royal party. These troops could not legally, without their own consent, be carried out of the county, and consequently, it was impossible to push into Devonshire the advantage which they had obtained. The Cornish royalists, therefore, bethought themselves of levying a force, which might be more serviceable. Sir Bevil Granville, the most beloved man of that country, Sir Ralph Hopton, Sir Nicholas Slanning, Arundel, and Trevannion, undertook, at their own charges, to raise an army for the king, and their great interest in Cornwall soon enabled them to effect their purpose. The parliament, alarmed at this appearance of the royalists, gave a commission to Ruthven, a Scotchman, governor of Plymouth, to march with all the forces of Dorset, Somerset, and Devon, and make an entire conquest of Cornwall. The Earl of Stamford followed him, at some distance, with a considerable supply. Ruthven, having entered Cornwall by bridges thrown over the Tamar, hastened to an action, lest Stamford should join him, and obtain the honour of that victory, which he looked for with assurance. The royalists, in like manner, were impatient to bring the affair to a decision, before Ruthven's army should receive so considerable a reinforcement. The battle was fought on Biadock down, and the king's forces, though inferior in number, gave a total defeat to their enemies. Ruthven, with a few broken troops, fled to Saltash; and when that town was taken, he escaped, with some difficulty, and almost alone, into Plymouth. Stamford retired, and distributed his forces into Plymouth and Exeter.

Notwithstanding these advantages, the extreme want both of money and ammunition, under which the Cornish royalists laboured, obliged them to enter into a convention of neutrality with the parliamentary party in Devonshire, and this neutrality held all the winter-season. In the spring, it was broken by the authority of the two houses, and war recommenced with great appearance of disadvantage to the king's party. Stamford, having assembled a strong body of near 7,000 men, well supplied with money, provisions, and ammunition, advanced upon the royalists, who were not half his number, and were oppressed by every kind of necessity. Despair, joined to the natural gallantry of these troops, commanded by the prime gentiy of the county, made them resolve, by one vigorous effort, to overcome all these advantages. Stamford being encamped on the top of a high hill near Statton, they (May 16), attacked him in four divisions, at five in the morning, having lain all night under arms. One division was commanded by Lord Mohun and Sir Ralph Hopton, another by Sir Beville Granville and Sir John Berkeley, a third by Slanning and Trevannion, a fourth by Basset and Godolphin. In this manner the action began; the king's forces pressing with vigour those four ways up the hill, and their enemies obstinately defending themselves. The fight continued with doubtful success, till word was brought to the chief officers of the Cornish, that their ammunition was spent to less than four barrels of

¹ Clarendon, vol. iii. p. 320.

powder. This defect, which they concealed from the soldiers, they resolved to supply by their valour. They agreed to advance without firing till they should reach the top of the hill, and could be on equal ground with the enemy. The courage of the officers was so well seconded by the soldiers, that the royalists began on all sides to gain ground. Major-General Chidley, who commanded the parliamentary army (for Stamford kept at a distance) failed not in his duty, and when he saw his men recoil, he himself advanced with a good stand of pikes, and, piercing into the thickest of the enemy, was at last overpowered by numbers, and taken prisoner. His army, upon this disaster, gave ground apace, insomuch that the four parties of the royalists, growing nearer and nearer as they ascended, at length met together upon the plain at the top, where they embraced with great joy, and signalled their victory with loud shouts and mutual congratulations¹.

After this success, the attention both of king and parliament was turned towards the west, as to a very important scene of action. The king sent thither the Marquis of Hertford and Prince Maurice with a reinforcement of cavalry, who, having joined the Cornish army, soon over-ran the county of Devon, and advancing into that of Somerset, began to reduce it to obedience. On the other hand, the parliament, having supplied Sir William Waller, in whom they much trusted, with a complete army, dispatched him westwards, in order to check the progress of the royalists. After some skirmishes, the two armies met (July 5) at Lansdown, near Bath, and fought a pitched battle, with great loss on both sides, but without any decisive event². The gallant Granville was there killed, and Hopton, by the blowing up of some powder, was dangerously hurt. The royalists next attempted to march eastwards, and to join their forces to the king's at Oxford. But Waller hung on their rear, and infested their march till they reached the Devizes. Reinforced by additional troops, which flocked to him from all quarters, he so much surpassed the royalists in number, that they durst no longer continue their march, or expose themselves to the hazard of an action. It was resolved, that Hertford and Prince Maurice should proceed with the cavalry; and, having procured a reinforcement from the king, should hasten back to the relief of their friends. Waller was so confident of taking this body of infantry now abandoned by the horse, that he wrote to the parliament, that their work was done, and that, by the next post, he would inform them of the number and quality of the prisoners. But the king, even before Hertford's arrival, hearing of the great difficulties to which his western army was reduced, had prepared a considerable body of cavalry, which he immediately dispatched to their succour under the command of Lord Wilmot. Waller drew up on Roundway-down, about two miles from the Devizes, and (July 13) advancing with his cavalry to fight Wilmot, and prevent his conjunction with the Cornish infantry, was received with equal valour by the royalists. After a sharp action he was totally routed, and, flying with a few horse, escaped to Bristol. Wilmot, seizing the enemy's cannon, and having joined his friends, whom he came to relieve, attacked Waller's infantry with redoubled

¹ Rush, vol. vi. pp. 267, 273, Clarendon, vol. iii. pp. 269, 279.

² Rush, vol. vi. p. 284, Clarendon, vol. iii. p. 282.

courage, drove them off the field, and routed and dispersed the whole army¹.

This important victory, following so quick after many other successes, struck great dismay into the parliament, and gave an alarm to their principal army commanded by Essex. Waller exclaimed loudly against that general, for allowing Wilmot to pass him, and proceed without any interruption to the succour of the distressed infantry at the Devizes. But Essex, finding that his army fell continually to decay after the siege of Reading, was resolved to remain upon the defensive, and the weakness of the king, and his want of all military stores, had also restrained the activity of the royal army. No action had happened in that part of England, except one skirmish, which, of itself, was of no great consequence, and was rendered memorable by the death alone of the famous Hambden.

Colonel Urrey, a Scotchman, who served in the parliamentary army, having received some disgust, came to Oxford, and offered his services to the king. In order to prove the sincerity of his conversion, he informed Prince Rupert of the loose disposition of the enemy's quarters, and exhorted him to form some attempt upon them. The prince, who was entirely fitted for that kind of service, falling suddenly upon the dispersed bodies of Essex's army, routed two regiments of cavalry, and one of infantry, and carried his ravages within two miles of the general's quarters. The alarm being given, every one mounted on horseback, in order to pursue the prince, to recover the prisoners, and to repair the disgrace which the army had sustained. Among the rest, Hambden, who had a regiment of infantry that lay at a distance, joined the horse as a volunteer, and overtaking the royalists on Chalgrave field, entered into the thickest of the battle. By the bravery and activity of Rupert, the king's troops were brought off, and a great booty, together with 200 prisoners, was conveyed to Oxford. But what most pleased the royalists, was the expectation that some disaster had happened to Hambden, their capital and much dreaded enemy. One of the prisoners taken in the action said, that he was confident Mr Hambden was hurt, for he saw him, contrary to his usual custom, ride off the field, before the action was finished, his head hanging down, and his hands leaning upon his horse's neck. Next day, the news arrived that he was shot in the shoulder with a brace of bullets, and the bone broken. Some days after, he died, in exquisite pain, of his wound, nor could his whole party, had their army met with a total overthrow, have been thrown into greater consternation. The king himself so highly valued him, that, either from generosity or policy, he intended to have sent him his own surgeon to assist his cure².

Many were the virtues and talents of this eminent personage, and his valour, during the war, had shone out with a lustre equal to that of the other accomplishments by which he had ever been distinguished. Affability in conversation, temper, art, and eloquence in debate, penetration and discernment in counsel, industry, vigilance, and enterprise in action, all these praises are unanimously ascribed to

¹ Rush vol vi p 285, Clarendon, vol iii p 297

² Warwick's Mem p 241, Clarendon, vol i p 264

him by historians of the most opposite parties. His virtue too and integrity, in all the duties of private life, are allowed to have been beyond exception. We must only be cautious, notwithstanding his generous zeal for liberty, not hastily to ascribe to him the praises of a good citizen. Though all the honors of civil war, he fought for the abolition of monarchy, and subversion of the constitution, an end, which, had it been attainable by peaceful measures, ought carefully to have been avoided by every lover of his country. But whether, in the pursuit of this violent enterprise, he was actuated by private ambition, or by honest prejudices, derived from the former exorbitant powers of royalty, it belongs not to an historian of this age, scarcely even to an intimate friend, positively to determine.¹

Essex, discouraged by this event, dismayed by the total rout of Waller, was farther informed, that the queen, who landed in Burlington Bay, had arrived at Oxford, and had brought from the north a reinforcement of 3000 foot and 1500 horse. Dislodging from Thame and Aylesbury, where he had hitherto lain, he thought proper to retreat nearer to London, and he showed to his friends his broken and disheartened forces, which a few months before he had led into the field in so flourishing a condition. The king, fled from this enemy, sent his army westward under Prince Rupert, and, by their conjunction with the Cornish troops, a formidable force, for numbers as well as reputation and valour, was composed. That an enterprise, correspondent to men's expectations, might be undertaken, the prince resolved to lay siege to Bristol, the second town for riches and greatness in the kingdom. Nathaniel Fiennes, son of Lord Saye, he himself, as well as his father, a great parliamentary leader, was governor, and commanded a garrison of 2500 foot, and two regiments,

¹ The author is sensible that some blame may be thrown upon him, on account of this last clause in Mr. Hambden's character, as if he were willing to entertain a suspicion of bad intentions, where the actions were praiseworthy. But the author's meaning is directly contrary. He esteems the last actions of Mr. Hambden's life to have been very blameable, though, as they were derived from good motives only, pushed to an extreme, there is room left to believe, that the intentions of that patriot, as well as many of his party, were laudable. Had the preceding administration of the king, which we are apt to call arbitrary, proceeded from ambition, and an unjust desire of encroaching on the ancient liberties of the people, there would have been less reason for giving him any trust, or leaving in his hands a considerable share of that power which he had so much abused. But if his conduct was derived in a great measure from necessity, and from a natural desire of defending that prerogative which was transmitted to him from his ancestors, and which his parliaments were visibly encroaching on, there is no reason why he may not be esteemed a very virtuous prince, and entirely worthy of trust from his people. The attempt, therefore, of tottally annihilating monarchical power, was a very blameable extreme, especially as it was attended with the danger, to say the least, of a civil war, which, besides the numberless ills inseparable from it, exposed liberty to much greater perils than it could have incurred under the now limited authority of the king. But as these points could not be supposed so clear during the time, as they are, or may be, at present, there are great reasons of alleviation for men who were heated by the controversy, or engaged in the action. And it is remarkable, that even at present (such is the force of party prejudices) there are few people who have coolness enough to see these matters in a proper light, or are convinced that the parliament could prudently have stopped in their pretensions. They still plead the violations of liberty attempted by the king, after granting the petition of right, without considering the extreme harsh treatment which he met with, after making that great concession, and the impossibility of supporting government by the revenue when settled on the crown. The worst of it is, that there was a great tangle of enthusiasm in the conduct of the parliamentary leaders, which, though it might render their conduct sincere, will not much enhance their character with posterity. And though Hambden was, perhaps, less infected with this spirit than many of his associates, he appears not to have been altogether free from it. His intended migration to America, where he could only propose the advantage of enjoying puritanical prayers and sermons, will be allowed a proof of the prevalence of this spirit in him.

one of horse, another of dragoons. The fortifications not being complete or regular, it was resolved by Prince Rupert to storm the city, and next morning, with little other provisions suitable to such a work, besides the courage of the troops, the assault began. The Cornish, in three divisions, attacked the west side, with a resolution which nothing could control but though the middle division had already mounted the wall, so great was the disadvantage of the ground, and so brave the defence of the garrison, that in the end the assailants were repulsed with a considerable loss both of officers and soldiers. On the prince's side, the assault was conducted with equal courage, and almost with equal loss, but with better success. One party, led by Lord Grandison, was indeed beaten off, and the commander himself mortally wounded. Another, conducted by Colonel Bellasis, met with a like fate but Washington, with a less party, finding a place in the curtain weaker than the rest, broke in, and quickly made room for the horse to follow. By this irruption, however, nothing but the suburbs was yet gained. The entrance into the town was still more difficult and by the loss already sustained, as well as by the prospect of farther danger, every one was extremely discouraged when, to the great joy of the army, the city (July 25) beat a parley. The garrison was allowed to march out with their arms and baggage, leaving their cannon, ammunition, and colours. For this instance of cowardice, Fiennes was afterwards tried by court-martial, and condemned to lose his head, but the sentence was remitted by the general.¹

Great complaints were made of violences exercised on the garrison, contrary to the capitulation. An apology was made by the royalists, as if these were a retaliation for some violences committed on their friends at the surrender of Reading. And under pretence of like retaliations, but really from the extreme animosity of the parties, were such irregularities continued during the whole course of the war.²

The loss sustained by the royalists, in the assault of Bristol, was considerable. Five hundred excellent soldiers perished. Among those of condition were Grandison, Slanning, Trevannion, and Moyle, Bellasis, Ashley, and Sir John Owen were wounded yet was the success, upon the whole, so considerable as mightily raised the courage of the one party, and depressed that of the other. The king, to show that he was not intoxicated with good fortune, nor aspired to a total victory over the parliament, published a manifesto, in which he renewed the protestation, formerly taken, with great solemnity, at the head of his army, and expressed his firm intention of making peace upon the re-establishment of the constitution. Having joined the camp at Bristol, and sent Prince Maurice with a detachment into Devonshire, he deliberated how to employ the remaining forces in an enterprise of moment. Some proposed, and seemingly with reason, to march directly to London, where everything was in confusion, where the army of the parliament was baffled, weakened, and dismayed, and where, it was hoped, either by an insurrection of the citizens, by victory, or by treaty, a speedy end might be put to the civil disorders.

¹ Rushworth, vol vi p 284, Clarendon, vol iii pp 293, 294, &c.

² Clarendon, ubi supra, p 297

But this undertaking, by reason of the great number and force of the London militia, was thought by many to be attended with considerable difficulties. Gloucester, lying within twenty miles, presented an easier, yet a very important conquest. It was the only remaining garrison possessed by the parliament in those parts. Could that city be reduced, the king held the whole course of the Severn under his command, the rich and malcontent counties of the west, having lost all protection from their friends, might be forced to pay high contributions, as an atonement for their disaffection; an open communication could be preserved between Wales and these new conquests; and half of the kingdom, being entirely freed from the enemy, and thus united into one firm body, might be employed in re-establishing the king's authority throughout the remainder. These were the reasons for embracing that resolution; fatal, as it was ever esteemed, to the royal party.¹

The Governor of Gloucester was one Massey, a soldier of fortune, who, before he engaged with the parliament, had offered his service to the king, and as he was free from the fumes of enthusiasm, by which most of the officers on that side were intoxicated, he would lend an ear, it was presumed, to proposals for accommodation. But Massey was resolute to preserve an entire fidelity to his masters, and though no enthusiast himself, he well knew how to employ to advantage that enthusiastic spirit so prevalent in his city and garrison. The summons (Aug 10) to surrender allowed two hours for an answer, but before that time expired, there appeared before the king two citizens, with lean, pale, sharp, and dismal visages, faces, so strange and uncouth, according to Lord Clarendon; figures, so habited and accoutred, as at once moved the most severe countenance to mirth, and the most cheerful heart to sadness. It seemed impossible that such messengers could bring less than a defiance. The men, without any circumstance of duty or good manners, in a pert, shrill, undissembled accent, said, that they brought an answer from the godly city of Gloucester, and extremely ready were they, according to the historian, to give insolent and seditious replies to any question, as if their business were chiefly, by provoking the king, to make him violate his own safe-conduct. The answer from the city was in these words. 'We, the inhabitants, magistrates, officers, and soldiers, within the garrison of Gloucester, unto his majesty's gracious message, return this humble answer, that we do keep this city, according to our oaths and allegiance, to and for the use of his majesty and of his royal posterity, and do accordingly conceive ourselves wholly bound to obey the commands of his majesty, signified by both houses of parliament, and are resolved, by God's help, to keep this city accordingly.'² After these preliminaries, the siege was resolutely undertaken by the army, and as resolutely sustained by the citizens and garrison.

When intelligence of the siege of Gloucester arrived in London, the consternation among the inhabitants was as great as if the enemy were already at their gates. The rapid progress of the royalists

¹ Whitlocke, p. 69. May, book iii. p. 91.

² Rush. vol. i. p. 287, Clarendon, vol. iii. p. 315. May, book iii. p. 96.

threatened the parliament with immediate subjection: the factions and discontents, among themselves, in the city, and throughout the neighbouring counties, prognosticated some dangerous division or insurrection. Those parliamentary leaders, it must be owned, who had introduced such mighty innovations into the English constitution, and who had projected so much greater, had not engaged in an enterprise which exceeded their courage and capacity. Great vigour, from the beginning, as well as wisdom, they had displayed in their counsels, and a furious, headstrong body, broken loose from the restraint of law, had hitherto been retained in subjection under their authority, and firmly united by zeal and passion, as by the most legal and established government. A small committee, on whom the two houses devolved their power, had directed all their military operations, and had preserved a secrecy in deliberation, and a promptitude in execution, beyond what the king, notwithstanding the advantages possessed by a single leader, had ever been able to attain. Sensible that no jealousy was by their partizans entertained against them, they had on all occasions exerted an authority much more despotic than the royalists, even during the pressing exigencies of war, could with patience endure in their sovereign. Whoever incurred their displeasure, or was exposed to their suspicions, was committed to prison, and prosecuted under the notion of delinquency: after all the old jails were full, many new ones were erected, and even the ships were crowded with the royalists: both gentry and clergy, who languished below decks, and perished in those unhealthy confinements: they imposed taxes, the heaviest, and of the most unusual nature, by an ordinance of the two houses: they voted a commission for sequestrations, and they seized, wherever they had power, the revenues of all the king's party¹ and knowing that themselves, and all their adherents, were, by resisting the prince, exposed to the penalties of laws, they resolved, by a severe administration, to overcome these terrors, and to retain the people in obedience, by penalties of a more immediate execution. In the beginning of this summer, a combination, formed against them in London, had obliged them to exert the plenitude of their authority.

Edmond Waller, the first refiner of English versification, was a member of the lower house, a man of considerable fortune, and not more distinguished by his poetical genius than by his parliamentary talents, and by the politeness and elegance of his manners. As full of keen satire and invective in his eloquence, as of tenderness and panegyric in his poetry, he caught the attention of his hearers, and exerted the utmost boldness in blaming those violent counsels, by which the commons were governed. Finding all opposition within doors to be fruitless, he endeavoured to form a party without, which might oblige the parliament to accept of reasonable conditions, and restore peace to the nation. The charms of his conversation, joined to his character of courage and integrity, had procured him the entire confidence of Northumberland, Conway, and every eminent person of either sex, who resided in London. They opened their breast to him

¹ The king afterwards copied from this example, but, as the far greater part of the nobility and landed gentry were his friends, he reaped much less profit from this measure.

without reserve, and expressed their disapprobation of the furious measures pursued by the commons, and their wishes that some expedient could be found for stopping so impetuous a career. Tomkins, Waller's brother-in-law, and Chaloner, the intimate friend of Tomkins, had entertained like sentiments and as the connexions of these two gentlemen lay chiefly in the city, they informed Waller, that the same abhorrence of war prevailed there, among all men of reason and moderation. Upon reflection it seemed not impracticable, that a combination might be formed between the lords and citizens, and, by mutual concert, the illegal taxes be refused, which the parliament without the royal assent, imposed on the people. While this affair was in agitation, and lists were making of such as they conceived to be well-affected to their design, a servant of Tomkins, who had overheard their discourse, immediately carried intelligence to Pym. Waller, Tomkins, and Chaloner were seized, and tried by a court-martial¹. They were all three condemned, and the two latter executed on gibbets erected before their own doors. A covenant, as a test, was taken,² by the lords and commons, and imposed on their army, and on all who lived within their quarters. Besides resolving to amend and reform their lives, the covenanters took their vow, that they will never lay down their arms so long as the papists, now in open war against the parliament, shall, by force of arms, be protected from justice, they express their abhorrence of the late conspiracy, and they promise to assist to the utmost the forces raised by both houses, against the forces levied by the king.³

Waller, as soon as imprisoned, sensible of the great danger into which he had fallen, was so seized with the dread of death, that all his former spirit deserted him, and he confessed whatever he knew, without sparing his most intimate friends, without regard to the confidence reposed in him, without distinguishing between the negligence of familiar conversation and the schemes of a regular conspiracy. With the most profound dissimulation, he counterfeited such remorse of conscience, that his execution was put off, out of mere Christian compassion, till he might recover the use of his understanding. He invited visits from the ruling clergy of all sects, and while he expressed his own penitence, he received their devout exhortations with humility and reverence, as conveying clearer conviction and information than in his life he had ever before attained. Presents too, of which, as well as of flattery, these holy men were not insensible, were distributed among them, as a small retribution for their prayers and ghostly counsel. And by all these artifices, more than from any regard to the beauty of his genius, of which, during that time of furious cant and faction, small account would be made, he prevailed so far as to have his life spared, and a fine of 10,000*l*. accepted in lieu of it.⁴

The severity exercised against the conspiracy, on rather project, of Waller, encreased the authority of the parliament, and seemed to ensure them against like attempts for the future. But by the progress of the king's arms, the defeat of Sir William Waller, the taking of

¹ Rushworth, vol vi p 326, Clarendon vol iii pp 249, 250, &c

² 6th June.

³ Rush vol vi p 325, Clarendon, vol ii p 255

⁴ Whitlocke, p 66, Rushworth, vol vi p 330, Clarendon, vol iii pp 253, 254, &c.

Bristol, the siege of Gloucester, a cry for peace was renewed, and with more violence than ever. Crowds of women, with a petition for that purpose, flocked about the house, and were so clamorous and importunate, that orders were given for dispersing them, and some of the females were killed in the fray.¹ Bedford, Holland, and Conway, had deserted the parliament, and had gone to Oxford, Clare and Lovelace had followed them.² Northumberland had retired to his country seat. Essex himself showed extreme dissatisfaction, and exhorted the parliament to make peace.³ The upper house sent down terms of accommodation, more moderate than had hitherto been insisted on. It even passed by a majority among the commons, that these proposals should be transmitted to the king. The zealots took the alarm. A petition against peace was framed in the city, and presented by Pennington, the factious mayor. Multitudes attended him, and renewed all the former menaces against the moderate party.⁴ The pulpits thundered, and rumours were spread of 20,000 Irish, who had landed, and were to cut the throat of every protestant.⁵ The majority was again turned to the other side, and all thoughts of pacification being dropped, every preparation was made for resistance, and for the immediate relief of Gloucester, on which the parliament was sensible, all their hopes of success in the war did so much depend.

Massey, resolute to make a vigorous defence, and having under his command a city and garrison ambitious of the crown of martyrdom, had hitherto maintained the siege with courage and abilities, and had much retarded the advances of the king's army. By continual sallies, he infested them in their trenches, and gained sudden advantages over them by disputing every inch of ground, he repressed the vigour and alacrity of their courage, elated by former successes. His garrison, however, was reduced to the last extremity, and he failed not, from time to time, to inform the parliament, that unless speedily relieved, he should be necessitated, from the extreme want of provisions and ammunition, to open his gates to the enemy.

The parliament, in order to repair their broken condition, and put themselves in a posture of defence, now exerted to the utmost their power and authority. They voted, that an army should be levied under Sir William Waller, whom, notwithstanding his misfortunes, they loaded with extraordinary caresses. Having associated in their cause the counties of Hertford, Essex, Cambridge, Norfolk, Suffolk, Lincoln, and Huntingdon, they gave the Earl of Manchester a commission to be general of the association, and appointed an army to be levied under his command. But, above all, they were intent that Essex's army, on which their whole fortune depended, should be put in a condition of marching against the king. They excited afresh their preachers to furious declamations against the royal cause. They even employed the expedient of pressing, though abolished by a late law, for which they had strenuously contended.⁶ And they engaged the city to send four regiments of its militia to the relief of Gloucester. All shops, meanwhile were ordered to be shut;

¹ Rushworth, vol. vi p. 357

² Rush vol. vi p. 290

³ Clarendon, vol. iii p. 320, Rush vol. v p. 588

⁴ Whitlocke, p. 67

⁵ Idem *ibid* p. 336

⁶ Rush vol. vi p. 292

and every man expected, with the utmost anxiety, the event of that important enterprise¹

Essex, carrying with him a well-appointed army of 14,000 men, took the road of Bedford and Leicester, and, though inferior in cavalry, yet, by the mere force of conduct and discipline, he passed over those open champaign countries, and defended himself from the enemy's horse, who had advanced to meet him, and who infested him during his whole march. As he approached to Gloucester, the king was obliged to raise the siege, and open the way for Essex to enter that city. The necessities of the garrison were extreme. One barrel of powder was their whole stock of ammunition remaining, and their other provisions were in the same proportion. Essex had brought with him military stores, and the neighbouring country abundantly supplied him with victuals of every kind. The inhabitants had carefully concealed all provisions from the king's army, pretending to be quite exhausted, had reserved their stores for that cause which they so much favoured²

The chief difficulty still remained. Essex dreaded a battle with the king's army, on account of its great superiority in cavalry; and he resolved to return, if possible, without running that hazard. He lay five days at Tewkesbury, which was his first stage after leaving Gloucester, and he feigned, by some preparations, to point towards Worcester. By a forced march during the night, he reached Cirencester, and obtained the double advantage of passing unmolested an open country, and of surprising a convoy of provisions, which lay in that town³. Without delay, he proceeded towards London, but, when he reached Newbury, he was surprised to find, that the king, by hasty marches, had arrived before him, and was already possessed of the place.

An action was now unavoidable, and Essex prepared for it with presence of mind, and not without military conduct. On both sides, the battle (Sept. 20) was fought with desperate valour and a steady bravery. Essex's horse were several times broken by the king's, but his infantry maintained themselves in firm array, and, besides giving a continued fire, they presented an invincible rampart of pikes against the furious shock of prince Rupert, and those gallant troops of gentry, of which the royal cavalry was chiefly composed. The militia of London especially, though utterly unacquainted with action, though drawn but a few days before from their ordinary occupations, yet having learned all military exercises, and being animated with unconquerable zeal for the cause in which they were engaged, equalled, on this occasion, what could be expected from the most veteran forces. While the armies were engaged with the utmost ardour, night put an end to the action, and left the victory undecided. Next morning, Essex proceeded on his march, and though his rear was once put in some disorder by an incursion of the king's horse, he reached London in safety, and received applause for his conduct and success in the whole enterprise. The king followed him on his march, and having taken possession of Reading, after the earl left it, he there established

¹ Rush, vol. vi. p. 292.

² Clarendon, vol. iii. p. 344.

³ Rush, vol. vi. p. 292.

a garrison, and straitened, by that means, London, and the quarters of the enemy¹

In the battle of Newbury, on the part of the king, besides the Earls of Sunderland and Carnarvon, two noblemen of promising hopes, were unfortunately slain, to the regret of every lover of ingenuity and virtue throughout the kingdom, Lucius Cary viscount Falkland, secretary of state. Before assembling the present parliament, this man, devoted to the pursuits of learning, and to the society of all the polite and elegant, had enjoyed himself in every pleasure, which a fine genius, a generous disposition, and an opulent fortune could afford. Called into public life, he stood foremost in all attacks on the high prerogatives of the crown, and displayed that masculine eloquence, and undaunted love of liberty, which from his intimate acquaintance with the sublime spirits of antiquity, he had greedily imbibed. When civil convulsions proceeded to extremities, and it became requisite for him to choose his side, he tempered the ardour of his zeal, and embraced the defence of those limited powers which remained to monarchy, and which he deemed necessary for the support of the English constitution. Still anxious, however, for his country, he seems to have dreaded the too prosperous success of his own party as much as of the enemy, and, among his intimate friends, often after a deep silence, and frequent sighs, he would, with a sad accent, reiterate the word *Peace*. In excuse for the too free exposing of his person, which seemed unsuitable in a secretary of state, he alleged, that it became him to be more active than other men in all hazardous enterprises, lest his impatience for peace might bear the imputation of cowardice or pusillanimity. From the commencement of the war, his natural cheerfulness and vivacity became clouded, and even his usual attention to dress, required by his birth and station, gave way to a negligence, which was easily observable. On the morning of the battle in which he fell, he had shown some care of adorning his person, and gave for a reason, that the enemy should not find his body in any slovenly, indecent situation. 'I am weary,' subjoined he, 'of the times, and foresee much misery to my country, but believe, that I shall be out of it ere 'night'². This excellent person was but thirty-four years of age, when a period was thus put to his life.

The loss sustained on both sides in the battle of Newbury, and the advanced season, obliged the armies to retire into winter-quarters.

In the north, during this summer, the great interest and popularity of the earl, now created Marquis of Newcastle, had raised a considerable force for the king, and great hopes of success were entertained from that quarter. There appeared, however, in opposition to him, two men, on whom the event of the war finally depended, and who began about this time to be remarked for their valour and military conduct. These were Sir Thomas Fairfax, son of the lord of that name, and Oliver Cromwell. The former gained a considerable advantage at Wakefield³ over a detachment of royalists, and took general Goring prisoner. The latter obtained a victory at Gains-

¹ Rush vol vi p 293, Clarendon, vol iii p 347

² Whitlocke, p 70, Clarendon, vol iii pp 350, 351, &c.

³ 22^d May

borough¹ over a party commanded by the gallant Cavendish, who perished in the action. But both these defeats of the royalists were more than sufficiently compensated by the total rout of Lord Fairfax at Atherton Moor,² and the dispersion of his army. After this victory, Newcastle, with an army of 15,000 men, sat down before Hull. Hotham was no longer governor of this place. That gentleman and his son, partly from a jealousy entertained of Lord Fairfax, partly repenting of their engagements against the king, had entered into a correspondence with Newcastle, and had expressed an intention of delivering Hull into his hands. But their conspiracy being detected, they were arrested and sent prisoners to London, where, without any regard to their former services, they fell, both of them, victims to the severity of the parliament.³

Newcastle, having carried on the attack of Hull for some time, was beat off by a sally of the garrison,⁴ and suffered so much, that he thought proper to raise the siege. About the same time, Manchester, who advanced from the eastern associated counties, having joined Cromwell and young Fairfax, obtained a considerable victory over the royalists at Hoin-Castle, where the two officers last mentioned gained renown by their conduct and gallantry. And though fortune had thus balanced her favours, the king's party still remained much superior in those parts of England, and had it not been for the garrison of Hull, which kept Yorkshire in awe, a conjunction of the northern forces with the army in the south might have been made, and had probably enabled the king, instead of entering on the unfortunate, perhaps imprudent, enterprise of Gloucester, to march directly to London, and put an end to the war.⁵

While the military enterprises were carried on with vigour in England, and the event became every day more doubtful, both parties cast their eye towards the neighbouring kingdoms, and sought assistance for the finishing of that enterprise, in which their own forces experienced such furious opposition. The parliament had recourse to Scotland, the king, to Ireland.

When the Scottish covenanters obtained that end, for which they so earnestly contended, the establishment of presbyterian discipline in their own country, they were not satisfied, but indulged still an ardent passion for propagating, by all methods, that mode of religion in the neighbouring kingdoms. Having flattered themselves, in the fervour of their zeal, that, by supernatural assistances, they should be enabled to carry their triumphant covenant to the gates of Rome itself, it behoved them first to render it prevalent in England, which already showed so great a disposition to receive it. Even in the articles of pacification, they expressed a desire of uniformity in worship with England, and the king, employing general expressions, had approved of this inclination, as pious and laudable. No sooner was there an appearance of a rupture, than the English parliament, in order to allure that nation into a close confederacy, openly declared their wishes for ecclesiastical reformation, and of imitating the example of their northern brethen.⁶ When war was actually commenced, the same

¹ 31st July.

² 30th June

³ Rush. vol vi p 275

⁴ 12th October

⁵ Warwick, p 261, Walker, p 278

⁶ Rush. vol vi. p 390, Clarendon, vol iii p 68.

artifices were used, and the Scots beheld, with the utmost impatience, a scene of action, of which they could not deem themselves indifferent spectators. Should the king, they said, be able, by force of arms, to prevail over the parliament of England, and re-establish his authority in that powerful kingdom, he will undoubtedly retract all those concessions, which, with so many circumstances of violence and indignity, the Scots have extorted from him. Besides a sense of his own interest, and a regard to royal power, which has been entirely annihilated in this country, his very passion for prelacy and for religious ceremonies, must lead him to invade a church which he has ever been taught to regard as anti-christian and unlawful. Let us but consider who the persons are that compose the factions now so furiously engaged in arms. Does not the parliament consist of those very men who have ever opposed all war with Scotland, who have punished the authors of our oppressions, who have obtained us the redress of every grievance, and who, with many honourable expressions, have conferred on us an ample reward for our brotherly assistance? And is not the court full of papists, prelates, malignants, all of them zealous enemies to our religious model, and resolute to sacrifice their lives for their idolatrous establishments? Not to mention our own necessary security, can we better express our gratitude to heaven for that pure light with which we are, above all nations, so eminently distinguished, than by conveying the same divine knowledge to our unhappy neighbours, who are wading through a sea of blood in order to attain it. These were, in Scotland, the topics of every conversation. With these doctrines the pulpits echoed and the famous curse of Meroz, that curse so solemnly denounced and reiterated against neutrality and moderation, resounded from all quarters.¹

The parliament of England had ever invited the Scots, from the commencement of the civil dissensions, to interpose their mediation, which, they knew, would be so little favourable to the king and the king, for that very reason, had ever endeavoured, with the least offensive expressions, to decline it.² Early this spring, the Earl of Loudon, the chancellor, with other commissioners, and attended by Henderson, a popular and intriguing preacher, was sent to the king at Oxford, and renewed the offer of mediation, but with the same success as before. The commissioners were also empowered to press the king on the article of religion, and to recommend to him the Scottish model of ecclesiastic worship and discipline. This was touching Charles in a very tender point: his honour, his conscience, as well as his interest, he believed to be intimately concerned in supporting prelacy and the liturgy.³ He begged the commissioners, therefore, to remain satisfied with the concessions he had made to Scotland, and, having modelled their own church according to their own principles, to leave their

¹ Curse ye Meroz, said the angel of the Lord, curse ye bitterly the inhabitants thereof. because they came not to the help of the Lord, to the help of the Lord against the mighty Judges, chap. v. ver. 23.

² Rush vol. vi. p. 298.

³ In a letter of the king to the queen, preserved in the British Museum, and published by Mr. Macaulay, vol. iv. p. 420, he says, that unless religion was preserved, the militia (being not as in France a formed powerful strength) would be of little use to the crown, and that if the pulpits had not obedience, which would never be, if presbyterian government was absolutely established, the king would have but small comfort of the militia. This reasoning shows

neighbours the like liberty, and not to intermeddle with affairs, of which they could not be supposed competent judges¹

The divines of Oxford, secure, as they imagined, of a victory, by means of their authorities from church-history, their quotations from the fathers, and their spiritual arguments, desired a conference with Henderson, and undertook, by dint of reasoning, to convert that great apostle of the north but Henderson, who had ever regarded, as impious, the least doubt with regard to his own principles, and who knew of a much better way to reduce opponents than by employing any theological topics, absolutely refused all disputation or controversy. The English divines went away full of admiration at the blind assurance and bigoted prejudices of the man. He, on his part, was moved with equal wonder at their obstinate attachment to such palpable errors and delusions.

By the concessions which the king had granted to Scotland, it became necessary for him to summon a parliament once in three years; and in June of the subsequent year, was fixed the period for the meeting of that assembly. Before that time elapsed, Charles flattered himself that he should be able, by some decisive advantage, to reduce the English parliament to a reasonable submission, and might then expect, with security, the meeting of a Scottish parliament. Though earnestly solicited by Loudon to summon presently that great council of the nation, he absolutely refused to give authority to men who had already excited such dangerous commotions, and who showed still the same disposition to resist and invade his authority. The commissioners, therefore, not being able to prevail in any of their demands, desired the king's passport for London, where they purposed to confer with the English parliament,² and being likewise denied this request, they returned with extreme dissatisfaction to Edinburgh.

The office of conservators of the peace was newly erected in Scotland, in order to maintain the confederacy between the two kingdoms, and these, instigated by the clergy, were resolved, since they could not obtain the king's consent, to summon, in his name, but by their own authority, a convention of states, and to bereave their sovereign of this article, the only one which remained of his prerogative. Under colour of providing for national peace, endangered by the neighbourhood of English armies, was a convention called,³ an assembly, which, though it meets with less solemnity, has the same authority as a parliament, in raising money and levying forces. Hamilton, and his brother the Earl of Lanark, who had been sent into Scotland in order to oppose these measures, wanted either authority or sincerity, and passively yielded to the torrent. The general assembly of the church met at the same time with the convention, and, exercising an autho-

the king's good sense, and proves, that his attachment to episcopacy, though partly founded on religious principles, was also, in his situation, derived from the soundest views of civil policy. In reality, it was easy for the king to perceive, by the necessary connection between trifles and important matters, and by the connection maintained at that time between religion and politics, that, when he was contending for the surplice, he was, in effect, fighting for his crown and even for his head. Few of the popular party could perceive this connexion: most of them were carried headlong by fanaticism, as might be expected in the ignorant multitude. Few even of the leaders to have had more enlarged views.

¹ Rush vol vi p 462

² Rush vol vi p 406

³ 22nd June

erty almost absolute over the whole civil power, made every political consideration yield to their theological zeal and prejudices

The English parliament was, at that time, fallen into great distress, by the progress of the royal arms, and they gladly sent to Edinburgh commissioners, with ample powers to treat of a nearer union and confederacy with the Scottish nation. The persons employed were the Earl of Rutland, Sir William Armyne, Sir Henry Vane the younger, Thomas Hatcher, and Henry Darley, attended by Maishal and Nye, two clergymen of signal authority¹. In this negotiation, the man chiefly trusted was Vane, who, in eloquence, address, capacity, as well as in art and dissimulation, was not surpassed by any one, even during that age, so famous for active talents. By his persuasion was framed at Edinburgh, that SOLEMN LEAGUE AND COVENANT, which effaced all former protestations and vows taken in both kingdoms; and long maintained its credit and authority. In this covenant, the subscribers, besides engaging mutually to defend each other against all opponents, bound themselves to endeavour, without respect of persons, the extirpation of popery and prelacy, superstition, heresy, schism, and profaneness; to maintain the rights and privileges of parliaments, together with the king's authority, and to discover and bring to justice all incendiaries and malignants².

The subscribers of the covenant vowed also to preserve the reformed religion established in the church of Scotland, but, by the artifice of Vane, no declaration more explicit was made with regard to England and Ireland, than that these kingdoms should be reformed, according to the word of God, and the example of the purest churches. The Scottish zealots, when prelacy was abjured, deemed this expression quite free from ambiguity, and regarded their own model as the only one which corresponded, in any degree, to such a description. But that able politician had other views, and while he employed his great talents in over-reaching the presbyterians, and secretly laughed at their simplicity, he had blindly devoted himself to the maintenance of systems still more absurd and more dangerous.

In the English parliament there remained some members, who, though they had been induced, either by private ambition, or by zeal for civil liberty, to concur with the majority, still retained an attachment to the hierarchy, and to the ancient modes of worship. But, in the present danger which threatened their cause, all scruples were laid aside, and the covenant, by whose means alone they could expect to obtain so considerable a reinforcement as the accession of the Scottish nation, was (Sep 17) received without opposition. The parliament, therefore, having first subscribed it themselves, ordered it to be received by all who lived under their authority.

Great were the rejoicings among the Scots, that they should be the happy instruments of extending their mode of religion, and dissipating that profound darkness in which the neighbouring nations were involved. The general assembly applauded this glorious imitation of the piety displayed by their ancestors, who, they said, in three different applications, during the reign of Elizabeth, had endeavoured to engage

¹ Whitlocke, p 73, Rush vol vi p 466, Clarendon, vol iii p 300.

² Rush vol vi p 478, Clarendon, vol iii p 373.

the English, by persuasion, to lay aside the use of the surplice, tippet, and corner-cap.¹ The convention too, in the height of their zeal, ordered every one to swear to this covenant, under the penalty of confiscation, beside what farther punishment it should please the ensuing parliament to inflict on the refusers, as enemies to God, to the king, and to the kingdom. And being determined that the sword should carry conviction to all refractory minds, they prepared themselves, with great vigilance and activity, for their military enterprises. By means of 100,000*l*, which they received from England, by the hopes of good pay and warm quarters, not to mention men's favourable disposition towards the cause; they soon completed their levies. And, having added, to their other forces, the troops which they had recalled from Ireland, they were ready, about the end of the year, to enter England, under the command of their old general, the Earl of Leven, with an army of above 20 000 men.²

The king, foreseeing this tempest which was gathering upon him, endeavoured to secure himself by every expedient, and he cast his eye towards Ireland, in hopes that this kingdom, from which his cause had already received so much prejudice, might at length contribute somewhat towards his protection and security.

After the commencement of the Irish insurrection, the English parliament, though they undertook the suppression of it, had ever been too much engaged, either in military projects, or expeditions at home, to take any effectual step towards finishing that enterprise. They had entered, indeed, into a contract with the Scots, for sending over an army of 10,000 men into Ireland, and in order to engage that nation in this undertaking, beside giving a promise of pay, they agreed to put Carrickfergus into their hands, and to invest their general with an authority quite independent of the English government. These troops, so long as they were allowed to remain, were useful, by diverting the force of the Irish rebels, and protecting in the north the small remnants of the British planters. But, except this contract with the Scottish nation, all the other measures of the parliament either were hitherto absolutely insignificant, or tended rather to the prejudice of the protestant cause in Ireland. By continuing their violent persecution, and still more violent menaces against priests and papists, they confirmed the Irish catholics in their rebellion, and cut off all hopes of indulgence and toleration. By disposing beforehand of all the Irish forfeitures to subscribers or adventurers, they rendered all men of property desperate, and seemed to threaten a total extirpation of the natives.³ And while they thus infused zeal and animosity into the enemy, no measure was pursued which could tend to support or encourage the protestants, now reduced to the last extremities.

So great is the ascendant which, from a long course of successes, the English has acquired over the Irish nation, that though the latter, when they receive military discipline among foreigners, are not surpassed by any troops, they had never, in their own country, been able to make any vigorous effort for the defence or recovery of their

¹ Rushworth, vol vi p 388

² Clarendon, vol iii p 383

³ A thousand acres in Ulster were given to every one that subscribed 200*l*, in Connaught to the subscribers of 350*l*, in Munster for 450*l*, in Leinster for 600*l*

liberties In many rencounters, the English, under Lord More, Sir William St Leger, Sir Frederick Hamilton, and others, had, though under great disadvantages of situation and numbers, put the Irish to rout, and returned in triumph to Dublin The rebels raised the siege of Tredah, after an obstinate defence made by the garrison¹ Ormond had obtained two complete victories at Kilrush and Ross, and had brought relief to all the forts, which were besieged or blockaded in different parts of the kingdom² But notwithstanding these successes, even the most common necessities of life were wanting to the victorious armies The Irish, in their wild rage against the British planters, had laid waste the whole kingdom, and were themselves totally unfit, from their habitual sloth and ignorance, to raise any convenience of human life During the course of six months no supplies had come from England, except the fourth part of one small vessel's lading Dublin, to save itself from starving, had been obliged to send the greater part of its inhabitants to England The army had little ammunition, scarcely exceeding forty barrels of gunpowder, not even shoes or clothes, and for want of food the soldiers had been obliged to eat their own horses And though the distress of the Irish was not much inferior,³ besides that they were more hardened against such extremities, it was but a melancholy reflection, that the two nations, while they continued their furious animosities, should make desolate that fertile island, which might serve to the subsistence and happiness of both

The justices and council of Ireland had been engaged chiefly by the interest and authority of Ormond, to fall into an entire dependence on the king Parsons, Temple, Loftus, and Meredith, who favoured the opposite party, had been removed, and Charles had supplied their place by others, better affected to his service A committee of the English House of Commons, which had been sent over to Ireland, in order to conduct the affairs of that kingdom, had been excluded the council, in obedience to orders transmitted from the king⁴ And these were reasons sufficient, besides the great difficulties, under which they themselves laboured, why the parliament was unwilling to send supplies to an army, which, though engaged in a cause much favoured by them, was commanded by then declared enemies. They even intercepted some small succours sent thither by the king.

The king, as he had neither money, arms, ammunition, nor provisions to spare from his own urgent wants, resolved to embrace an expedient, which might at once relieve the necessities of the Irish protestants, and contribute to the advancement of his affairs in England A truce with the rebels, he thought, would enable his subjects in Ireland to provide for their own support, and would procure him the assistance of the army against the English parliament But as a treaty with a people, so odious for their barbarities, and still more for their religion, might be represented in invidious colours, and renew all those calumnies with which he had been loaded, it was necessary to proceed with great caution in conducting that measure A remonstrance from the army was made to the Irish council, repre-

¹ Rushworth, vol vi p 506² Idem, ibid p 512³ Idem, ibid. p 555⁴ Idem, ibid p 350, Clarendon, vol iii. p 167

senting their intolerable necessities, and craving permission to leave the kingdom and if that were refused, 'We must have recourse,' they said, 'to that first and primary law, with which God has endowed all men, we mean the law of nature, which teaches every creature to preserve itself'¹ Memorials both to the king and parliament were transmitted by the justices and council, in which their wants and dangers are strongly set forth,² and though the general expressions in these memorials might perhaps be suspected of exaggeration, yet from the particular facts mentioned, from the confession of the English parliament itself,³ and from the very nature of things, it is apparent that the Irish protestants were reduced to great extremities,⁴ and it became prudent in the king, if not absolutely necessary, to embrace some expedient, which might secure them, for a time, from the ruin and misery with which they were threatened

Accordingly, the king gave orders⁵ to Ormond and the justices to conclude, for a year, a cessation of arms with the council of Kilkenny, by whom the Irish were governed, and to leave both sides in possession of their present advantages The parliament, whose business it was to find fault with every measure adopted by the opposite party, and who would not lose so fair an opportunity of reproaching the king with his favour to the Irish papists, exclaimed loudly against this cessation Among other reasons, they insisted upon the divine vengeance, which England might justly dread for tolerating antichristian idolatry, on pretence of civil contracts and political agreements⁶ Religion, though every day employed as the engine of their own ambitious purposes, was supposed too sacred to be yielded up to the temporal interests or safety of kingdoms

After the cessation, there was little necessity, as well as no means of subsisting the army in Ireland The king ordered Ormond, who was entirely devoted to him, to send over considerable bodies of it to England Most of them continued in his service but a small part having imbibed in Ireland a strong animosity against the catholics, and hearing the king's party universally reproached with popery, soon after deserted to the parliament

Some Irish catholics came over with these troops, and joined the royal army, where they continued the same cruelties and disorders, to which they had been accustomed⁷ The parliament voted, that no quarter, in any action, should ever be given them but prince Rupert, by making some reprisals, soon repressed this inhumanity⁸

¹ Rushworth, vol. vi p. 537

² Idem, *ibid* p. 538

³ Rush. vol. vi p. 540

⁴ Carte's Ormond, vol. iii No. 123, 127, 128, 129, 134, 136, 141, 144, 149, 158, 159 All these papers put it past doubt, that the necessities of the English army in Ireland were extreme.

Also Rushworth, vol. vi p. 537, and Dugdale, pp. 853, 854

⁵ 7th Sept., Rush vol. vi. pp. 537, 544, 547

⁶ Idem, *ibid*. p. 557

⁷ Whitlocke, pp. 78, 103

⁸ Rush vol. vi. pp. 680, 783

CHAPTER LVII.

Invasion of the Scots—Battle of Marston-moor—Battle of Cropredy-bridge—Essex's forces disarmed—Second battle of Newbury—Rise and character of the Independents—Self-denying ordinance—Fairfax, Cromwell—Treaty of Uxbridge—Execution of Laud

THE king had hitherto, during the course of the war, obtained many advantages over the parliament, and had raised himself from that low condition into which he had at first fallen, to be nearly upon an equal footing with his adversaries. Yorkshire, and all the northern counties, were reduced by the marquess of Newcastle, and, excepting Hull, the parliament was master of no garrison in these quarters. In the west, Plymouth alone, having been in vain besieged by prince Maurice, resisted the king's authority, and had it not been for the disappointment in the enterprize of Gloucester, the royal garrisons had reached, without interruption, from one end of the kingdom to the other, and had occupied a greater extent of ground than those of the parliament. Many of the royalists flattered themselves, that the same vigorous spirit, which had elevated them to the present height of power, would still favour their progress, and obtain them a final victory over their enemies; but those who judged more soundly, observed, that, besides the accession of the whole Scottish nation to the side of the parliament, the very principle on which the royal successes had been founded, was every day acquired, more and more, by the opposite party. The king's troops, full of gentry and nobility, had excited a valour superior to their enemies, and had hitherto been successful in almost every rencounter; but, in proportion as the whole nation became warlike, by the continuance of civil discords, this advantage was more equally shared, and superior numbers, it was expected, must at length obtain the victory. The king's troops also, ill paid, and destitute of every necessary, could not possibly be retained in equal discipline with the parliamentary forces, to whom all supplies were furnished from unexhausted stores and treasures¹. The severity of manners, so much affected by these zealous religionists, assisted their military institutions, and the rigid inflexibility of character by which the austere reformers of church and state were distinguished, enabled the parliamentary chiefs to restrain their soldiers within stricter rules and more exact order. And while the king's officers indulged themselves even in greater licences than those to which, during times of peace, they had been accustomed, they were apt, both to neglect their military duty, and to set a pernicious example of disorder to the soldiers under their command.

At the commencement of the civil war, all Englishmen, who served abroad, were invited over, and treated with extraordinary respect; and most of them, being descended of good families, and, by reason of their absence, unacquainted with the new principles which depressed

¹ Rush vol vi p 560.

the dignity of the crown, had enlisted under the royal standard. But it is observable, that, though the military profession requires great genius, and long experience, in the principal commanders, all its subordinate duties may be discharged by ordinary talents, and from superficial practice. Citizens and country-gentlemen soon became excellent officers, and the generals of greatest fame and capacity happened, all of them, to spring up on the side of the parliament. The courtiers and great nobility, in the other party, checked the growth of any extraordinary genius among the subordinate officers; and every man there, as in a regular established government, was confined to the station in which his birth had placed him.

The king, that he might make preparations, during the winter, for the ensuing campaign, summoned to Oxford all the members of either house, who adhered to his interests, and endeavoured to avail himself of the name of parliament, so passionately cherished by the English nation¹. The House of Peers was pretty full, and, besides the nobility employed in different parts of the kingdom, it contained twice as many members as commonly voted at Westminster. The House of Commons consisted of about 140, which amounted not to above half of the other House of Commons².

So extremely light had government hitherto lain upon the people, that the very name of 'excise' was unknown to them, and, among the other evils arising from these domestic wars, was the introduction of that impost into England. The parliament at Westminster having voted an excise on beer, wine, and other commodities; those at Oxford imitated the example, and conferred that revenue on the king. And, in order to enable him the better to recruit his army, they granted him the sum of 100,000*l.*, to be levied by way of loan upon the subject. The king circulated privy seals, countersigned by the speakers of both houses, requiring the loan of particular sums from such persons as lived within his quarters³. Neither party had as yet got above the pedantry of reproaching their antagonists with these illegal measures.

The Westminster parliament passed a whimsical ordinance, commanding all the inhabitants of London and the neighbourhood to retrench a meal a week, and to pay the value of it for the support of the public cause⁴. It is easily imagined, that, provided the money were paid, they troubled themselves but little about the execution of their ordinance.

Such was the king's situation, that, in order to restore peace to the nation, he had no occasion to demand any other terms than the restoring of the laws and constitution, the replacing him in the same rights which had ever been enjoyed by his predecessors; and the re-establishing, on its ancient basis, the whole frame of government, civil as well as ecclesiastical. And, that he might facilitate an end seemingly so desirable, he offered to employ means equally popular, an universal act of oblivion, and a toleration or indulgence to tender consciences. Nothing therefore could contribute more to his interests than every discourse of peace, and every discussion of the conditions

¹ Rushworth, vol. vi. p. 559.

² Rushworth, vol. vi. p. 590.

³ *Idem*, *ibid.* pp. 566, 574, 575.

⁴ Dugdale, p. 119. Rush vol. vi. p. 748.

upon which that blessing could be obtained. For this reason, he solicited a treaty on all occasions, and desired a conference and mutual examination of pretensions, even when he entertained no hopes that any conclusion could possibly result from it.

For like reasons, the parliament prudently avoided, as much as possible, all advances towards negotiation, and were cautious not to expose too easily to censure those high terms, which their apprehensions or their ambition made them previously demand of the king. Though their partizans were blinded with the thickest veil of religious prejudices, they dreaded to bring their pretensions to the test, or lay them open before the whole nation. In opposition to the sacred authority of the laws, to the venerable precedents of many ages, the popular leaders were ashamed to plead nothing but fears and jealousies which were not avowed by the constitution, and for which neither the personal character of Charles, so full of virtue, nor his situation, so deprived of all independent authority, seemed to afford any reasonable foundation. Grievances which had been fully redressed, powers, either legal or illegal, which had been entirely denounced, it seemed unpopular, and invidious, and ungrateful any farther to insist on.

The king, that he might abate the universal veneration paid to the name of parliament, had issued a declaration, in which he set forth all the tumults by which himself and his partizans in both houses had been driven from London, and he thence inferred that the assembly at Westminster was no longer a free parliament, and till its liberty were restored, was entitled to no authority. As this declaration was an obstacle to all treaty, some contrivance was requisite in order to elude it.

A letter was written in the foregoing spring to the Earl of Essex, and subscribed by the prince, the Duke of York, and forty-three noblemen.¹ They there exhort him to be an instrument of restoring peace, and to promote that happy end with those by whom he was employed. Essex, though much dignified with the parliament, though apprehensive of the extremities to which they were driving, though desirous of any reasonable accommodation, yet was still more resolute to preserve an honourable fidelity to the trust reposed in him. He replied, that as the paper sent him neither contained any address to the two houses of parliament, nor any acknowledgment of their authority, he could not communicate it to them. Like proposals had been reiterated by the king during the ensuing campaign, and still met with a like answer from Essex.²

In order to make a new trial for a treaty, the king this spring sent another letter, directed to the lords and commons of parliament assembled at Westminster. But as he also mentioned in the letter the lords and commons of parliament assembled at Oxford, and declared that his scope and intention was to make provision that all the members of both houses might securely meet in a full and free assembly, the parliament, perceiving the conclusion implied, refused all treaty upon such terms.³ And the king, who knew what small

¹ Clarendon, vol. iii p. 442, Rush vol. vi p. 566, Whitlocke, p. 77.

² Clarendon, vol. iii p. 444, Rush vol. vi pp. 569, 570, Whitlocke, p. 94.

³ Clarendon, vol. iii p. 449, Whitlocke, p. 77.

hopes there were of accommodation, would not abandon the pretensions which he had assumed, nor acknowledge the two houses more expressly for a free parliament

This winter the famous Pym died, a man as much hated by one party as respected by the other. At London he was considered as the victim to national liberty, who had abridged his life by incessant labours for the interests of his country¹ At Oxford he was believed to have been struck with an uncommon disease, and to have been consumed with vermin, as a mark of divine vengeance for his multiplied crimes and treasons. He had been so little studious of improving his private fortune in those civil wars, of which he had been one principal author, that the parliament thought themselves obliged, from gratitude, to pay the debts which he had contracted² We now return to the military operations, which, during the winter were carried on with vigour in several places, notwithstanding the severity of the season.

The forces brought from Ireland were landed at Mostyne in North Wales, and being put under the command of Lord Byron, they besieged and took the castles of Hawarden, Beeston, Acton, and Deddington House³ No place in Cheshire or the neighbourhood now adhered to the parliament except Nantwich, and to this town Byron laid siege during the depth of winter. Sir Thomas Fairfax alarmed at so considerable a progress of the royalists, assembled an army of 4,000 men in Yorkshire, and having joined Sir William Brereton, was approaching to the camp of the enemy. Byron and his soldiers, elated with successes obtained in Ireland, had entertained the most profound contempt for the parliamentary forces, a disposition which, if confined to the army, may be regarded as a good presage of victory, but if it extend to the general, is the most probable forerunner of a defeat Fairfax (January 25, A.D. 1644) suddenly attacked the camp of the royalists. The swelling of the river by a thaw divided one part of the army from the other, that part exposed to Fairfax being beaten from their post retired into the church of Acton, and were all taken prisoners, the other retreated with precipitation⁴ And thus was dissipated, or rendered useless, that body of forces which had been drawn from Ireland, and the parliamentary party revived in those north-west counties of England.

The invasion from Scotland was attended with consequences of much greater importance. The Scots having summoned in vain the town of Newcastle, which was fortified by the vigilance of Sir Thomas Glenham (February 22), passed the Tyne and faced the Marquess of Newcastle, who lay at Durham with an army of 14,000 men⁵ After some military operations, in which that nobleman reduced the enemy to difficulties for forage and provisions, he received intelligence of a great disaster which had befallen his forces in Yorkshire. Colonel Bellasis, whom he had left with a considerable body of troops, was (April 11) totally routed at Selby, by Sir Thomas Fairfax, who had returned from Cheshire with his victorious forces⁶ Afraid of being

¹ Whitlocke, p. 66

² Rush. vol. vi. p. 299.

³ Rush. vol. vi. p. 615.

⁴ Journ. 13th Feb. 1643.

⁵ Ibid. p. 301.

⁶ Idem, ibid. p. 618.

inclosed between two armies, Newcastle retreated, and Leven having joined Lord Fairfax, they sat down before York, to which the army of the loyalists had retired. But as the parliamentary and Scottish forces were not numerous enough to invest so large a town divided by a river, they contented themselves with incommoding it by a loose blockade, and affairs remained for some time in suspense between these opposite armies¹

During this winter and spring other parts of the kingdom had also been infested with war. Hopeton having assembled an army of 14,000 men, endeavoured to break into Sussex, Kent, and the southern association, which seemed well disposed to receive him. Waller fell upon him at Cherington, and gave him a defeat² of considerable importance. In another quarter, siege being laid to Newark by the parliamentary forces, Prince Rupert prepared himself for relieving a town of such consequence, which alone preserved the communication open between the king's southern and northern quarters³. With a small force, but that animated by his active courage, he broke through the enemy, relieved the town, and totally dissipated that army of the parliament⁴.

But though fortune seemed to have divided her favours between the parties, the king found himself, in the main, a considerable loser by this winter campaign, and he prognosticated a still worse event from the ensuing summer. The preparations of the parliament were great, and much exceeded the slender resources of which he was possessed. In the eastern association they levied 14,000 men under the Earl of Manchester, seconded by Cromwell,⁵ an army of 10,000 men under Essex, another of nearly the same force under Waller was assembled in the neighbourhood of London. The former was destined to oppose the king, the latter was appointed to march into the west, where Prince Maurice, with a small army which went continually to decay, was spending his time in vain before Lyme, an inconsiderable town upon the sea-coast. The utmost efforts of the king could not raise above 10,000 men at Oxford, and on their sword chiefly, during the campaign, were these to depend for subsistence.

The queen, terrified with the dangers which every way environed her, and afraid of being inclosed in Oxford in the middle of the kingdom, fled to Exeter, where she hoped to be delivered unmolested of the child, with which she was now pregnant, and whence she had the means of an early escape into France if pressed by the forces of the enemy. She knew the implacable hatred which the parliament, on account of her religion and her credit with the king had all along borne her. Last summer the commons had sent up to the peers an impeachment of high treason against her, because, in his utmost distresses, she had assisted her husband with arms and ammunition, which she had bought in Holland,⁶ and had she fallen into their hands neither her sex, she knew, nor high station, could protect her against insults at least, if not danger, from those haughty republicans, who so little affected to conduct themselves by the maxims of gallantry and politeness.

¹ Rushworth, vol vi. p 620. ² 29th March.
⁴ 21st March. ³ Rush vol vi p 621.

⁵ Rush vol vi p 306
⁶ Rush vol vi p 321

From the beginning of these dissensions, the parliament, it is remarkable, had, in all things, assumed an extreme ascendant over their sovereign, and had displayed a violence and arrogated an authority which, on his side, would not have been compatible either with his temper or his situation. While he spoke perpetually of pardoning all 'rebels,' they talked of nothing but the punishment of 'delinquents' and 'malignants' while he offered a toleration and indulgence to tender consciences, they threatened the utter extirpation of prelacy. To his professions of lenity they opposed declarations of rigour, and the more the ancient tenor of the laws inculcated a respectful subordination to the crown, the more careful were they by their lofty pretensions to cover that defect under which they laboured.

Their great advantages in the north seemed to second their ambition, and finally to promise them success in their unwarrantable enterprises. Manchester having taken Lincoln, had united his army to that of Leven and Fairfax, and York was now closely besieged by their combined forces. That town, though vigorously defended by Newcastle, was reduced to extremity, and the parliamentary generals, after enduring great losses and fatigues, flattered themselves that all their labours would at last be crowned by this important conquest. On a sudden they were alarmed by the approach of Prince Rupert. This gallant commander having vigorously exerted himself in Lancashire and Cheshire, had collected a considerable army, and, joining Sir Charles Lucas, who commanded Newcastle's horse, hastened to the relief of York with an army of 20,000 men. The Scottish and parliamentary generals raised the siege, and drawing up on Marston Moor purposed to give battle to the royalists. Prince Rupert approached the town by another quarter, and, interposing the river Ouse between him and the enemy, safely joined his forces to those of Newcastle. The Marquess endeavoured to persuade him that, having so successfully effected his purpose he ought to be content with the present advantages, and leave the enemy, now much diminished by their losses, and discouraged by their ill success, to dissolve by those mutual dissensions which had begun to take place among them.¹ The prince, whose martial disposition was not sufficiently tempered with prudence, nor softened by complacency, pretending positive orders from the king without deigning to consult with Newcastle, whose merits and services deserved better treatment, immediately issued orders (July 2) for battle, and led out an army to Marston Moor.² This action was obstinately disputed between the most numerous armies that were engaged in the course of these wars, nor were the forces on each side much different in number. Fifty thousand British troops were led to mutual slaughter, and the victory seemed long undecided between them. Prince Rupert, who commanded the right wing of the royalists was opposed to Cromwell,³ who conducted the choice troops of the parliament, enured to danger under that determined leader, animated by zeal and confirmed by the most rigid discipline. After a sharp combat the cavalry of the royalists gave way, and such of the infantry as stood next them were likewise borne down and put to flight. New-

¹ Life of the Duke of Newcastle, p. 40.

² Clarendon, vol. v. p. 506.

³ Rush part II. vol. III. p. 633.

castle's regiment alone, resolute to conquer or to perish, obstinately kept their ground, and maintained by their dead bodies the same order in which they had at first been ranged. In the other wing Sir Thomas Fairfax and Colonel Lambert with some troops broke through the royalists, and transported by the ardour of pursuit, soon reached their victorious friends engaged also in pursuit of the enemy. But after that tempest was past, Lucas, who commanded the royalists in this wing, restoring order to his broken forces, made a furious attack on the parliamentary cavalry, threw them into disorder, pushed them upon their own infantry, and put that whole wing to rout. When ready to seize on their carriages and baggage he perceived Cromwell, who was now returned from pursuit of the other wing. Both sides were not a little surprised to find that they must again renew the combat, for that victory which each of them thought they had already obtained. The front of the battle was now exactly counter-changed, and each army occupied the ground which had been possessed by the enemy at the beginning of the day. This second battle was equally furious and desperate with the first, but after the utmost efforts of courage by both parties, victory wholly turned to the side of the parliament. The prince's train of artillery was taken, and his army pushed off the field of battle.¹

This event was in itself a mighty blow to the king, but proved more fatal in its consequences. The Marquess of Newcastle was entirely lost to the royal cause. That nobleman, the ornament of the court and of his order, had been engaged, contrary to the natural bent of his disposition, into these military operations, merely by a high sense of honour, and a personal regard to his master. The dangers of war were disregarded by his valour, but its fatigues were oppressive to his natural indolence. Munificent and generous in his expence, polite and elegant in his taste, courteous and humane in his behaviour, he brought a great accession of friends and of credit to the party which he embraced. But amidst all the hurry of action, his inclinations were secretly drawn to the soft arts of peace, in which he took delight; and the charms of poetry, music, and conversation, often stole him from his rougher occupations. He chose Sir William Davenant, an ingenious poet, for his lieutenant-general. The other persons, in whom he placed confidence, were more the instruments of his refined pleasures, than qualified for the business which they undertook, and the severity and application, requisite to the support of discipline, were qualities in which he was entirely wanting.²

When Prince Rupert, contrary to his advice, resolved on this battle, and issued all orders, without communicating his intentions to him; he took the field, but, he said, merely as a volunteer, and, except by his personal courage, which shone out with lustre, he had no share in the action. Enraged to find that all his successful labours were rendered abortive by one act of fatal temerity, terrified with the prospect of renewing his pains and fatigue, he resolved no longer to maintain the few resources which remained to a desperate cause, and thought, that the same regard to honour, which had at first called him to arms, now required him to abandon a party, where he met with such unworthy

¹ Rushworth, vol. vi p. 632, Whitlocke, p. 89.

² Clarendon, vol. v pp. 507, 508. See Warwick.

treatment. Next morning early he sent word to the prince that he was instantly to leave the kingdom; and, without delay, he went to Scarborough, where he found a vessel, which carried him beyond sea. During the ensuing years, till the restoration, he lived abroad in great necessity, and saw, with indifference, his opulent fortune sequestered by those who assumed the government of England. He disdained, by submission or composition, to show obeisance to their usurped authority, and the least favourable censors of his merit allowed, that the fidelity and services of a whole life had sufficiently atoned for one rash action into which his passion had betrayed him.¹

Prince Rupert, with equal precipitation, drew off the remains of his army, and retired into Lancashire. Glenham, in a few days, was obliged to surrender York, and (July 16) he marched out his garrison with all the honours of war.² Lord Fairfax, remaining in the city, established his government in that whole county, and sent 1,000 horse into Lancashire, to join with the parliamentary forces in that quarter, and attend the motions of Prince Rupert. The Scottish army marched northwards, in order to join the Earl of Calendar, who was advancing with 10,000 additional forces,³ and to reduce the town of Newcastle, which they took by storm. The Earl of Manchester, with Cromwell, to whom the fame of this great victory was chiefly ascribed, and who was wounded in the action, returned to the eastern association, in order to recruit his army.⁴

While these events passed in the north, the king's affairs in the south were conducted with more success and greater abilities. Ruthven, a Scotchman, who had been created Earl of Brentford, acted, under the king, as general.

The parliament soon completed their two armies commanded by Essex and Waller. The great zeal of the city facilitated this undertaking. Many speeches were made to the citizens by the parliamentary leaders, in order to excite their ardour. Hollis, in particular, exhorted them not to spare, on this important occasion, either their purses, their persons, or their prayers,⁵ and, in general, it must be confessed, they were sufficiently liberal in all these contributions. The two generals had orders to march with their combined armies towards Oxford, and, if the king retired into that city, to lay siege to it, and by one enterprise put a period to the war. The king, leaving a numerous garrison in Oxford, passed with dexterity between the two armies, which had taken Abingdon, and had enclosed him on both sides.⁶ He marched towards Worcester, and Waller received orders from Essex to follow him and watch his motions, while he himself marched into the west, in quest of Prince Maurice. Waller had approached within two miles of the royal camp, and was only separated from it by the Severn, when he received intelligence that the king was advanced to Bewdly, and had directed his course towards Shrewsbury. In order to prevent him, Waller presently dislodged, and hastened by quick marches to that town, while the king, suddenly returning upon his own footsteps, reached Oxford; and having reinforced his army from that garrison, now in his turn marched out in quest of Waller. The two armies

¹ Clarendon, vol. v. p. 511

⁴ Rush, vol. vi. p. 641

² Rush, vol. vi. p. 638

⁵ Rush, vol. vi. p. 662

³ Whitlocke, p. 88.

⁶ 3rd June.

faced each other at Cropredy-bridge, near Banbury, but the Charwell ran between them.^c Next day (June 29), the king decamped and marched towards Daventry. Waller ordered a considerable detachment to pass the bridge, with an intention of falling on the rear of the royalists. He was repulsed, routed, and pursued with considerable loss.¹ Stunned and disheartened with this blow, his army decayed and melted away by desertion, and the king thought he might safely leave it, and march westward against Essex. That general, having obliged Prince Maurice to raise the siege of Lyme, having taken Weymouth and Taunton, advanced still in his conquests, and met with no equal opposition. The king followed him, and having reinforced his army from all quarters, appeared in the field with an army superior to the enemy. Essex retreating into Cornwall, informed the parliament of his danger, and desired them to send an army, which might fall on the king's rear. General Middleton received a commission to execute that service, but came too late. Essex's army, cooped up in a narrow corner at Lestithiel, deprived of all forage and provisions and seeing no prospect of success, was reduced to the last extremity. The king pressed them on one side, Prince Maurice on another; Sir Richard Granville on a third. Essex, Roberts, and some of the principal officers, escaped in a boat to Plymouth. Balfour with his horse passed the king's out-posts, in a thick mist, and (Sept. 1) got safely to the garrisons of his own party. The foot under Skippon were obliged to surrender their arms, artillery, baggage and ammunition, and being conducted to the parliament's quarters, were dismissed. By this advantage, which was much boasted of, the king, besides the honour of the enterprise, obtained what he stood extremely in need of. The parliament, having preserved the men, lost what they could easily repair.²

No sooner did this intelligence reach London, than the committee of the two kingdoms voted thanks to Essex for his fidelity, courage, and conduct; and this method of proceeding, no less politic than magnanimous, was preserved by the parliament throughout the whole course of the war. Equally indulgent to their friends and rigorous to their enemies, they employed, with success, these two powerful engines of reward and punishment, in confirmation of their authority.

That the king might have less reason to exult in the advantages which he had obtained in the west, the parliament opposed to him very numerous forces. Having armed anew Essex's subdued, but not disheartened troops, they ordered Manchester and Cromwell to march with their recruited forces from the eastern association, and joining their armies to those of Waller and Middleton, as well as of Essex, offer battle to the king. Charles chose his post at Newbury, where (Oct. 27) the parliamentary armies, under the Earl of Manchester, attacked him with great vigor, and that town was a second time the scene of the bloody animosities of the English. Essex's soldiers, exhorting one another to repair their broken honour, and revenge the disgrace of Lestithiel, made an impetuous assault on the royalists;

¹ Rush vol. vi. p. 676, Clarendon, vol. v. p. 497, Sir Ed. Walker, p. 37.

² Rush vol. vi. p. 699, &c., Whitlocke, p. 98, Clarendon, vol. v. p. 524, 525; Sir Edw. Walker, pp. 69, 70, &c.

and having recovered some of their cannon, lost in Cornwall, could not forbear embracing them with tears of joy. Though the king's troops defended themselves with valour, they were overpowered by numbers, and the night came very seasonably to their relief, and prevented a total overthrow. Charles leaving his baggage and cannon in Dennington-castle, near Newbury, forthwith retreated to Wallingford, and thence to Oxford. There, Prince Rupert and the Earl of Northampton joined him, with considerable bodies of cavalry. Strengthened by this reinforcement, he ventured to advance towards the enemy, now employed before Dennington-castle.¹ Essex, detained by sickness, had not joined the army, since his misfortune in Cornwall. Manchester, who commanded, though his forces were much superior to those of the king, declined an engagement, and rejected Cromwell's advice, who earnestly pressed him not to neglect so favourable an opportunity of finishing the war. The king's army, by bringing off their cannon from Dennington-castle, in the face of the enemy, seemed to have sufficiently repaired the honour which they had lost at Newbury. And Charles, having the satisfaction to excite, between Manchester and Cromwell, equal animosities with those which formerly took place between Essex and Waller,² distributed his army into winter-quarters.

Those contests among the parliamentary generals, which had disturbed their military operations, were renewed in London during the winter season, and each being supported by his own faction, their mutual reproaches and accusations agitated the whole city and parliament. There had long prevailed, in that party, a secret distinction, which, though the dread of the king's power had hitherto suppressed it, yet, in proportion as the hopes of success became nearer and more immediate, began to discover itself, with high contest and animosity. The Independents, who had, at first, taken shelter and concealed themselves under the wings of the Presbyterians, now evidently appeared a distinct party, and betrayed very different views and pretensions. We must here endeavour to explain the genius of this party, and of its leaders, who henceforth occupy the scene of action.

During those times, when the enthusiastic spirit met with such honour and encouragement, and was the immediate means of distinction and preferment, it was impossible to set bounds to these holy fervours, or confine, within any natural limits, what was directed towards an infinite and a supernatural object. Every man, as prompted by the warmth of his temper, excited by emulation, or supported by his habits of hypocrisy, endeavoured to distinguish himself beyond his fellows, and to arrive at a higher pitch of saintship and perfection. In proportion to its degree of fanaticism, each sect became dangerous and destructive; and as the independents went a note higher than the presbyterians, they could less be restrained within any bounds of temper and moderation. From this distinction, as from a first principle, were derived, by a necessary consequence, all the other differences of these two sects.

The independents rejected all ecclesiastical establishments, and would admit of no spiritual courts, no government among pastors, no

¹ Rush vol vi. p 721, &c.

² Rush. vol vi p 2.

interposition of the magistrate in religious concerns, no fixed encouragement annexed to any system of doctrines or opinions. According to their principles, each congregation, united voluntarily and by spiritual ties, composed, within itself, a separate church, and exercised a jurisdiction, but one destitute of temporal sanctions, over its own pastor and its own members. The election alone of the congregation was sufficient to bestow the sacerdotal character, and as all essential distinction was denied between the laity and the clergy, no ceremony, no institution, no vocation, no imposition of hands, was, as in all other churches, supposed requisite to convey a right to holy orders. The enthusiasm of the presbyterians led them to reject the authority of prelates, to throw off the restraint of liturgies, to retrench ceremonies, to limit the riches and authority of the priestly office. The fanaticism of the independents, exalted to a higher pitch, abolished ecclesiastical government, disdained creeds and systems, neglected every ceremony, and confounded all ranks and orders. The soldier, the merchant, the mechanic, indulging the fervors of zeal, and guided by the illapses of the spirit, resigned himself to an inward and superior direction, and was consecrated, in a manner, by an immediate intercourse and communication with heaven.

The catholics, pretending to an infallible guide, had justified, upon that principle, their doctrine and practice of persecution. The presbyterians, imagining that such clear and certain tenets, as they themselves adopted, could be rejected only from a criminal and pertinacious obstinacy, had hitherto gratified, to the full, their bigoted zeal, in a like doctrine and practice. The independents, from the extremity of the same zeal, were led into the milder principles of toleration. Their mind, set afloat in the wide sea of inspiration, could confine itself within no certain limits, and the same variations, in which an enthusiast indulged himself, he was apt, by a natural train of thinking, to permit in others. Of all christian sects this was the first, which, during its prosperity, as well as its adversity, always adopted the principle of toleration, and, it is remarkable, that so reasonable a doctrine owed its origin, not to reasoning, but to the height of extravagance and fanaticism.

Popery and prelacy alone, whose genius seemed to tend towards superstition, were treated by the independents with rigour. The doctrines too of fate or destiny, were deemed by them essential to all religion. In these rigid opinions, the whole sectaries, amidst all their other differences, unanimously concurred.

The political system of the independents kept pace with their religions. Not content with confining, to very narrow limits, the power of the crown, and reducing the king to the rank of first magistrate, which was the project of the presbyterians, this sect, more ardent in the pursuit of liberty, aspired to a total abolition of the monarchy, and even of the aristocracy; and projected an entire equality of rank and order, in a republic, quite free and independent. In consequence of this scheme, they were declared enemies to all proposals for peace, except on such terms as, they knew, it was impossible to obtain; and they adhered to that maxim, which is, in the main, prudent and political, that whoever draws the sword against his

sovereign, should throw away the scabbard. By terrifying others with the fear of vengeance from the offended prince, they had engaged greater numbers into the opposition against peace, than had adopted their other principles with regard to government and religion. And the great success, which had already attended the arms of the parliament, and the greater, which was soon expected, confirmed them still further in this obstinacy.

Sir Harry Vane, Oliver Cromwell, Nathaniel Fiennes, and Oliver St John, the solicitor-general, were regarded as the leaders of the independents. The Earl of Essex, disgusted with a war, of which he began to foresee the pernicious consequences, adhered to the presbyterians, and promoted every reasonable plan of accommodation. The Earl of Northumberland, fond of his rank and dignity, regarded with horror a scheme, which, if it took place, would confound himself and his family with the lowest in the kingdom. The Earls of Warwick, and Denbigh, Sir Philip Stapleton, Sir William Waller, Hollis, Maffey, Whitlocke, Mainard, Glyn, had embraced the same sentiments. In the parliament, a considerable majority, and a much greater in the nation, were attached to the presbyterian party, and it was only by cunning and deceit at first, and afterwards by military violence, that the independents could entertain hopes of success.

The Earl of Manchester, provoked at the impeachment, which the king had lodged against him, had long forwarded the war with alacrity, but, being a man of humanity and good principles, the view of public calamities, and the prospect of a total subversion of government, began to moderate his ardor, and inclined him to promote peace on any safe or honourable terms. He was even suspected, in the field, not to have pushed to the utmost against the king, the advantages obtained by the arms of the parliament; and Cromwell, in the public debates, revived the accusation, that this nobleman had wilfully neglected at Dennington-castle a favourable opportunity of finishing the war by a total defeat of the royalists. 'I showed him 'evidently,' said Cromwell, 'how this success might be obtained, and 'only desired leave, with my own brigade of horse, to charge the 'king's army in their retreat, leaving it in the earl's choice, if he 'thought proper, to remain neuter with the rest of his forces. But, 'notwithstanding my importunity, he positively refused his consent; 'and gave no other reason but that, if we met with a defeat, there 'was an end of our pretensions. We should all be rebels and traitors, 'and be executed and forfeited by law.'¹

Manchester, by way of recrimination, informed the parliament, that, at another time, Cromwell having proposed some scheme, to which it seemed improbable the parliament would agree, he insisted and said, 'My lord, if you will stick firm to honest men, you shall find yourself 'at the head of an army, which shall give law both to king and parliament.' 'This discourse,' continued Manchester, 'made the greater 'impression on me, because I knew the lieutenant-general to be a man 'of very deep designs, and he has even ventured to tell me, that it 'never would be well with England till I were Mr. Montague, and 'there were ne'er a lord or peer in the kingdom.'² So full was

¹ Clarendon, vol. v. p. 561.

² *Idem*, *ibid* p. 562.

Oliver Cromwell of these republican projects, that, notwithstanding his habits of profound dissimulation, he could not so carefully guard his expressions, but that sometimes his favourite notions would escape him

These violent dissensions brought matters to extremity, and pushed the independents to the execution of their designs. The present generals, they thought, were more desirous of protracting than finishing the war; and having entertained a scheme for preserving still some balance in the constitution, they were afraid of entirely subduing the king, and reducing him to a condition, where he should not be entitled to ask any concessions. A new model alone of the army could bring complete victory to the parliament, and free the nation from those calamities under which it laboured. But how to effect this project was the difficulty. The authority, as well as merits, of Essex were very great with the parliament. Not only he had served them all along with the most exact and scrupulous honour, it was, in some measure, owing to his popularity, that they had ever been enabled to levy an army or make head against the royal cause. Manchester, Warwick, and the other commanders had likewise great credit with the public, nor were there any hopes of prevailing over them, but by laying the plan of an oblique and artificial attack, which would conceal the real purpose of their antagonists. The Scots and Scottish commissioners, jealous of the progress of the independents, were a new obstacle, which, without the utmost art and subtlety, it would be difficult to surmount¹. The methods by which this intrigue was conducted, are so singular, and show so fully the genius of the age, that we shall give a detail of them, as they are delivered by Lord Clarendon².

A fast, on the last Wednesday of every month, had been ordered by the parliament at the beginning of these commotions, and then preachers, on that day, were careful to keep alive, by their vehement declamations, the popular prejudices entertained against the king, against prelacy, and against popery. The king, that he might combat the parliament with their own weapons, appointed likewise a monthly fast, when the people should be instructed in the duties of loyalty and of submission to the higher powers, and he chose the second Friday of every month for the devotion of the royalists³. It was now proposed and carried in parliament, by the independents, that a new and more solemn fast should be voted, when they should implore the divine assistance for extricating them from those perplexities, in which they were at present involved. On that day, the preachers, after many political prayers, took care to treat of the reigning divisions in the parliament, and ascribed them entirely to the selfish ends pursued by the members. In the hands of those members, they said, are lodged all the considerable commands of the army, all the lucrative offices in the civil administration. And while the nation is falling every day into poverty, and groans under an insupportable load of taxes, these men multiply possession on possession, and will, in a little time, be masters of all the wealth of the kingdom. That such persons, who

¹ Clarendon, vol. v. p. 562

² Rushworth, vol. vi. p. 364.

³ Idem, ibid. p. 565

fatten on the calamities of their country, will ever embrace any effectual measure for bringing them to a period, or ensuring final success to the war, cannot reasonably be expected. Lingering expedients alone will be pursued. And operations in the field concurring, in the same pernicious end, with deliberations in the cabinet, civil commotions will, for ever, be perpetuated in the nation. After exaggerating these disorders, the ministers returned to their prayers, and besought the Lord, that he would take his own work into his own hand, and if the instruments, whom he had hitherto employed, were not worthy to bring to a conclusion so glorious a design, that he would inspire others more fit, who might perfect what was begun, and by establishing true religion, put a speedy period to the public miseries.

On the day subsequent to these devout animadversions, when the parliament met, a new spirit appeared in the looks of many. Sir Henry Vane told the commons, that, if ever God appeared to them, it was in the ordinances of yesterday—that, as he was credibly informed by many, who had been present in different congregations, the same lamentations and discourses, which the godly preachers had made before them, had been heard in other churches—that so remarkable a concurrence could proceed only from the immediate operation of the Holy Spirit—that he therefore intreated them, in vindication of their own honour, in consideration of their duty to God and their country, to lay aside all private ends, and renounce every office attended with profit or advantage—that the absence of so many members occupied in different employments, had rendered the house extremely thin, and diminished the authority of their determinations—and that he could not forbear, for his own part, accusing himself as one who enjoyed a gainful office, that of treasurer of the navy, and though he was possessed of it before the civil commotions, and owed it not to the favour of the parliament, yet was he ready to resign it, and to sacrifice, to the welfare of his country, every consideration of private interest and advantage.

Cromwell next acted his part, and commended the preachers for having dealt with them plainly and impartially, and told them of their errors, of which they were so unwilling to be informed. Though they dwelt on many things, he said, on which he had never before reflected, yet, upon revolving them, he could not but confess, that, till there was a perfect reformation in these particulars, nothing which they undertook could possibly prosper. The parliament, no doubt, continued he, had done wisely on the commencement of the war, in engaging several of its members in the most dangerous parts of it, and thereby satisfying the nation, that they intended to share all hazards with the meanest of the people. But affairs are now changed. During the progress of military operations, there have arisen, in the parliamentary armies, many excellent officers who are qualified for higher commands than they are now possessed of. And though it becomes not men, engaged in such a cause, 'to put trust in the arm of flesh,' yet he could assure them, that their troops contained generals, fit to command in any enterprize in Christendom. The army indeed, he was sorry to say it, did not correspond, by its discipline, to the merit

of the officers; nor were there any hopes, till the present vices and disorders, which prevail among the soldiers, were repressed by a new model, that their forces would ever be attended with signal success in any undertaking

In opposition to this reasoning of the independents, many of the presbyterians showed the inconvenience and danger of the projected alteration. Whitlocke, in particular, a man of honour, who loved his country, though, in every change of government, he always adhered to the ruling power, said, that besides the ingratitude of discarding, and that by fraud and artifice, so many noble persons, to whom the parliament had hitherto owed its chief support, they would find it extremely difficult to supply the place of men, now formed by experience to command and authority that the rank alone, possessed by such as were members of either house, prevented envy, retained the army in obedience, and gave weight to military orders that greater confidence might safely be reposed in men of family and fortune, than in mere adventurers, who would be apt to entertain separate views from those which were embraced by the persons who employed them that no maxim of policy was more undisputed, than the necessity of preserving an inseparable connexion between the civil and military powers, and of retaining the latter in strict subordination to the former that the Greeks and Romans, the wisest and most passionate lovers of liberty, had ever entrusted to their senators the command of armies, and had maintained an unconquerable jealousy of all mercenary forces and that such men alone, whose interests were involved in those of the public, and who possessed a vote in the civil deliberations would sufficiently respect the authority of parliament, and never could be tempted to turn the sword against those by whom it was committed to them¹

Notwithstanding these reasonings, a committee was chosen to frame what was called the 'self-denying ordinance,' by which the members of both houses were excluded from all civil and military employments, except a few offices which were specified. This ordinance was the subject of great debate, and, for a long time, rent the parliament and city into factions. But, at last, by the prevalence of envy with some, with others, of false modesty, with a great many, of the republican and independent views, it passed the House of Commons, and was sent to the upper house. The peers, though the scheme was, in part, levelled against their order; though all of them were, at bottom, extremely averse to it, though they even ventured once to reject it; yet possessed so little authority, that they durst not persevere in opposing the resolution of the commons; and they thought it better policy, by an unlimited compliance, to ward off that ruin, which they saw approaching². The ordinance, therefore, having passed both houses, Essex, Waiwick, Manchester, Denbigh, Waller, Brereton, and many others, resigned their commands, and received the thanks of parliament for their good services. A pension of 10,000*l*. a year was settled on Essex.

It was agreed to recruit the army to 22,000 men; and Sir Thomas Fairfax was appointed general³. It is remarkable, that his com-

¹ Whitlocke, pp. 114, 115, Rush vol vii p. 6

² Rush. vol vii pp. 8, 15

³ Whitlocke, p. 118, Rush vol vii p. 7.

mission did not run, like that of Essex, in the name of the king and parliament, but in that of the parliament alone; and the article concerning the safety of the king's person was omitted. So much had animosities increased between the parties¹ Cromwell, being a member of the lower house, should have been discarded with the others; but this impartiality would have disappointed all the views of those who had introduced the self-denying ordinance. He was saved by a subtilty, and by that political craft, in which he was so eminent. At the time when the other officers resigned their commissions, care was taken that he should be sent with a body of horse to relieve Taunton, besieged by the royalists. His absence being remarked, orders were dispatched for his immediate attendance in parliament, and the new general was directed to employ some other officer in that service. A ready compliance was feigned, and the very day was named, on which, it was averred, he would take his place in the house. But Fairfax, having appointed a rendezvous of the army, wrote to the parliament, and desired leave to retain, for some days, lieutenant-general Cromwell, whose advice, he said, would be useful, in supplying the place of those officers who had resigned. Shortly after, he begged, with much earnestness, that they would allow Cromwell to serve that campaign². And thus the independents, though the minority, prevailed by art and cunning over the presbyterians, and bestowed the whole military authority, in appearance, upon Fairfax, in reality, upon Cromwell.

Fairfax was a person equally eminent for courage and for humanity; and though strongly infected with prejudices or principles, derived from religious and party zeal, he seems never, in the course of his public conduct, to have been diverted, by private interest or ambition, from adhering strictly to these principles. Sincere in his professions, disinterested in his views, open in his conduct, he had formed one of the most shining characters of the age, had not the extreme narrowness of his genius, in every thing but in war, and his embarrassed and confused elocution on every occasion but when he gave orders, diminished the lustre of his merit, and rendered the part which he acted, even when vested with the supreme command, but secondary and subordinate.

Cromwell, by whose sagacity and insinuation Fairfax was entirely governed, is one of the most eminent and most singular personages that occurs in history. The strokes of his character are as open and strongly marked, as the schemes of his conduct were, during the time, dark and impenetrable. His extensive capacity enabled him to form the most enlarged projects; his enterprising genius was not dismayed with the boldest and most dangerous. Carried, by his natural temper, to magnanimity, to grandeur, and to an imperious and domineering policy, he yet knew, when necessary, to employ the most profound dissimulation, the most oblique and refined artifice, the semblance of the greatest moderation and simplicity. A friend to justice, though his public conduct was one continued violation of it; devoted to religion, though he perpetually employed it as the instrument of his ambition, he was engaged in crimes from the prospect of sovereign

¹ Whitlocke, p. 133

² Clarendon, vol. v. pp. 629, 630. Whitlocke, p. 141.

power, a temptation which is, in general, irresistible to human nature. And by using well that authority, which he had attained by fraud and violence he has lessened, if not overpowered, our detestation of his enormities by our admiration of his success and of his genius.

During this important transaction of the self-denying ordinance, the negotiations for peace were likewise carried on, though with small hopes of success. The king having sent two messages, one from Evesham,¹ another from Tavistock,² desiring a treaty, the parliament despatched commissioners to Oxford, with proposals, as high as if they had obtained a complete victory.³ The advantages gained during the campaign, and the great distresses of the royalists, had much elevated their hopes, and they were resolved to repose no trust in men, inflamed with the highest animosity against them, and who, were they possessed of power, were fully authorized by law, to punish all their opponents as rebels and traitors.

The king, when he considered the proposals and the disposition of the parliament could not expect any accommodation, and had no prospect but of war, or of total submission and subjection yet, in order to satisfy his own party, who were impatient for peace, he agreed to send the Duke of Richmond and Earl of Southampton, with an answer to the proposals of the parliament, and at the same time to desire a treaty upon their mutual demands and pretensions.⁴ It now became necessary for him to retract his former declaration, that the two houses at Westminster were not a free parliament, and accordingly he was induced, though with great reluctance, to give them, in his answer, the appellation of the parliament of England.⁵ But it appeared afterwards, by a letter which he wrote to the queen, and of which a copy was taken at Naseby, that he secretly entered an explanatory protest in his council-book, and he pretended, that, though he had 'called' them the parliament, he had not thereby 'acknowledged' them for such.⁶ This subtlety, which has been frequently objected to Charles, is the most noted of those very few instances, from which the enemies of this prince have endeavoured to load him with the imputation of insincerity, and have inferred, that the parliament could repose no confidence in his professions and declarations, not even in his laws and statutes. There is, however, it must be confessed, a difference universally avowed between simply giving to men the appellation which they assume, and the formal acknowledgment of their title to it, nor is any thing more common and familiar in all public transactions.

The time (Jan 30, A.D. 1645) and place of treaty being settled, sixteen commissioners from the king met at Uxbridge, with twelve authorised by the parliament, attended by the Scottish commissioners. It was agreed that the Scottish and parliamentary commissioners

¹ 4th July, 1644.

² Whitlocke, p. 110.

³ Sept 8th, 1644.

⁴ Dugdale, p. 737, Rush vol vi p. 850.

⁵ Whitlocke, p. 111, Dugdale, p. 748.

⁶ His words are,—"As for my calling those at London a parliament, I shall refer thee to Digby for particular satisfaction, this in general. If there had been but two besides myself, of my opinion, I had not done it, and the argument, that prevailed with me was, that the calling did no ways acknowledge them to be a parliament, upon which condition and construction I did it, and no otherwise, and accordingly it is registered in the council books, with the council's unanimous approbation." *The king's cabinet opened* Rush vol iv p. 943.

should give in their demands with regard to three important articles, 'religion,' the 'militia,' and 'Ireland,' and that these should be successively discussed in conference with the king's commissioners¹. It was soon found impracticable to come to any agreement with regard to any of these articles.

In the summer (1643), while the negotiations were carried on with Scotland, the parliament had summoned an assembly at Westminster, consisting of 121 divines and 30 laymen, celebrated in their party for piety and learning. By their advice alterations were made in the thirty-nine articles, or in the metaphysical doctrines of the church; and, what was of greater importance, the liturgy was entirely abolished and, in its stead, a new directory for worship was established, by which, suitably to the spirit of the puritans, the utmost liberty, both in praying and preaching, was indulged to the public teachers. By the solemn league and covenant, episcopacy was abjured as destructive of all true piety, and a national engagement, attended with every circumstance that could render a promise sacred and obligatory, was entered into with the Scots never to suffer its re-admission. All these measures showed little spirit of accommodation in the parliament; and the king's commissioners were not surprised to find the establishment of presbytery and the directory positively demanded, together with the subscription of the covenant, both by the king and kingdom².

Had Charles been of a disposition to neglect all theological controversy, he yet had been obliged in good policy to adhere to episcopal jurisdiction, not only because it was favourable to monarchy, but because all his adherents were passionately devoted to it and to abandon them, in what they regarded as so important an article, was for ever to relinquish their friendship and assistance. But Charles had never attained such enlarged principles. He deemed bishops essential to the very being of a christian church; and he thought himself bound, by more sacred ties than those of policy, or even of honour, to the support of that order. His concessions, therefore, on this head he judged sufficient when he agreed that an indulgence should be given to tender consciences with regard to ceremonies, that the bishops should exercise no act of jurisdiction or ordination without the consent and counsel of such presbyters as should be chosen by the clergy of each diocese, that they should reside constantly in their diocese, and be bound to preach every Sunday, that pluralities be abolished, that abuses in ecclesiastical courts be redressed, and that a hundred thousand pounds be levied on the bishops' estates and the chapter

¹ Whitlocke, p. 121, Dugdale, p. 758.

² Such love of contradiction prevailed in the parliament, that they had converted Christmas, which, with the churchmen, was a great festival, into a solemn fast and humiliation 'in order,' as they said, 'that it might call to remembrance our sins and the sins of our forefathers, who, pretending to celebrate the memory of Christ, have turned this feast into an extreme forgetfulness of him, by giving liberty to carnal and sensual delights.' Rush vol. vi. p. 877. It is remarkable, that, as the parliament abolished all holy days, and severely prohibited all amusement on the Sabbath, and even burned, by the hands of the hangman, the king's book of sports, the nation found, that there was no time left for relaxation or diversion. Upon application, therefore, of the servants and apprentices, the parliament appointed the second Tuesday of every month for play and recreation. Rush vol. vii. p. 460. Whitlocke, p. 247. But these institutions they found great difficulty to execute, and the people were resolved to be merry when they themselves pleased, not when parliament should prescribe it to them. The keeping of Christmas holy-days was long a great mark of malignancy, and very

lands for the payment of debts contracted by parliament¹ These concessions, though considerable, gave no satisfaction to the parliamentary commissioners; and, without abating anything of their rigour on this head, they proceeded to their demands with regard to the militia.

The king's partisans had all along maintained that the fears and jealousies of the parliament, after the securities so early and easily given to public liberty, were either feigned or groundless, and that no human institution could be better poised and adjusted than was now the government of England. By the abolition of the star chamber and court of high commission the prerogative, they said, has lost all that coercive power by which it had formerly suppressed or endangered liberty. By the establishment of triennial parliaments it can have no leisure to acquire new powers or guard itself, during any time, from the inspection of that vigilant assembly. By the slender revenue of the crown no king can ever attain such influence as to procure a repeal of these salutary statutes. And while the prince commands no military force he will in vain by violence attempt an infringement of laws so clearly defined by means of late disputes, and so passionately cherished by all his subjects. In this situation surely the nation, governed by so virtuous a monarch, may for the present remain in tranquillity, and try whether it be not possible by peaceful arts to elude that danger with which, it is pretended, its liberties are still threatened.

But though the royalists insisted on these plausible topics before the commencement of war, they were obliged to own that the progress of civil commotions had somewhat abated the force and evidence of this reasoning. If the power of the militia, said the opposite party, be entrusted to the king, it would not now be difficult for him to abuse that authority. By the rage of intestine discord his partisans are inflamed into an extreme hatred against their antagonists, and have contracted, no doubt, some prejudices against popular privileges which, in their apprehension, have been the source of so much disorder. Were the arms of the state, therefore, put entirely into such hands, what public security, it may be demanded, can be given to liberty, or what private security to those who, in opposition to the letter of the law have so generously ventured their lives in its defence? In compliance with this apprehension Charles offered that the arms of the state should be entrusted during three years to twenty commissioners, who should be named either by common agreement between him and the parliament, or one half by him, the other by the parlia-

severely censured by the commons. Whitlocke, p. 286. Even minced pies, which custom had made a Christmas dish among the churchmen, was regarded, during that season, as a profane and superstitious viand by the sectaries, though at other times it agreed with their stomachs. In the parliamentary ordinance, too, for the observance of the Sabbath, they inserted a clause for the taking down of May-poles, which they called a heathenish vanity. Since we are upon this subject, it may not be amiss to mention, that, besides setting apart Sunday for the ordinances, as they called them, the godly had regular meetings on the Thursdays for resolving cases of conscience, and conferring about their progress in grace. What they were chiefly anxious about, was the fixing the precise moment of their conversion or new birth, and whoever could not ascertain so difficult a point of calculation, could not pretend to any title to sainthood. The profane scholars at Oxford, after the parliament became masters of that town, gave to the house in which the zealots assembled the denomination of *Scruple Shop*; the zealots, in their turn, insulted the scholars and professors, and, intruding into the place of lectures, declaimed against human learning, and challenged the most knowing of them to prove that their calling was from Christ. Wood's Fasti Oxoniensis, p. 740.

¹ Dugdale, pp. 779, 780.

ment. And, after the expiration of that term, he insisted that his constitutional authority over the militia should again return to him.¹

The parliamentary commissioners at first demanded that the power of the sword should for ever be entrusted to such persons as the parliament alone should appoint;² but afterwards they relaxed so far as to require that authority only for seven years, after which it was not to return to the king, but to be settled by bill or by common agreement between him and his parliament.³ The king's commissioners asked, Whether jealousies and fears were all on one side, and whether the prince, from such violent attempts and pretensions as he had experienced, had not, at least, as great reason to entertain apprehensions for his authority as they for their liberty? Whether there were any equity in securing only one party and leaving the other during the space of seven years entirely at the mercy of their enemies? Whether, if unlimited power were entrusted to the parliament during so long a period, it would not be easy for them to frame the subsequent bill in the manner most agreeable to themselves, and keep for ever possession of the sword as well as of every article of civil power and jurisdiction.⁴

The truth is, after the commencement of war, it was very difficult, if not impossible, to find security for both parties, especially for that of the parliament. Amidst such violent animosities power alone could ensure safety, and the power of one side was necessarily attended with danger to the other. Few or no instances occur in history of an equal, peaceful, and durable accommodation that has been concluded between two factions which had been inflamed into civil war.

With regard to Ireland there were no greater hopes of agreement between the parties. The parliament demanded that the truce with the rebels should be declared null, that the management of the war should be given over entirely to the parliament, and that after the conquest of Ireland, the nomination of the lord lieutenant and of the judges, or, in other words, the sovereignty of that kingdom should likewise remain in their hands.⁵

What rendered an accommodation more desperate was, that the demands on these three heads, however exorbitant, were acknowledged by the parliamentary commissioners to be nothing but preliminaries. After all these were granted it would be necessary to proceed to the discussion of those other demands, still more exorbitant, which a little before had been transmitted to the king at Oxford. Such ignominious terms were there insisted on that worse could scarcely be demanded were Charles totally vanquished, a prisoner, and in chains. The king was required to attaint and except from a general pardon, forty of the most considerable of his English subjects, and nineteen of his Scottish, together with all popish recusants in both kingdoms who had borne arms for him. It was insisted that forty-eight more, with all the members who had sitten in either house at Oxford, all lawyers and divines who had embraced the king's party, should be rendered incapable of any office, be forbidden the exercise of their profession, be prohibited from coming within the verge of the court, and forfeit the third of their estates to the parliament. It was required that whoever

¹ Dugdale, p. 798

⁴ Dugdale, p. 877

² *Ibid.* p. 791

³ *Ibid.* p. 820

⁵ *Ibid.* pp. 826, 827

had borne arms for the king should forfeit the tenth of their estates, or if that did not suffice, the sixth, for the payment of public debts. As if royal authority were not sufficiently annihilated by such terms, it was demanded that the court of wards should be abolished, that all the considerable officers of the crown and all the judges should be appointed by parliament, and that the right of peace and war should not be exercised without the consent of that assembly.¹ The presbyterians, it must be confessed, after insisting on such conditions, differed only in words from the independents, who required the establishment of a pure republic. When the debates had been carried on to no purpose during twenty days among the commissioners, they separated and returned those of the king to Oxford, those of the parliament to London.

A little before the commencement of this fruitless treaty, a deed was executed by the parliament, which proved their determined resolution to yield nothing, but to proceed in the same violent and imperious manner, with which they had, at first, entered on these dangerous enterprises. Archbishop Laud, the most favourite minister of the king, was brought to the scaffold, and in this instance, the public might see, that popular assemblies, as, by their very number, they are, in a great measure, exempt from the restraint of shame, so, when they also overleap the bounds of law, naturally break out into acts of the greatest tyranny and injustice.

From the time that Laud had been committed, the House of Commons, engaged in enterprises of greater moment, had found no leisure to finish his impeachment, and he had patiently endured so long an imprisonment, without being brought to any trial. After the union with Scotland, the bigoted prejudices of that nation revived the like spirit in England, and the sectaries resolved to gratify their vengeance in the punishment of this prelate, who had so long, by his authority, and by the execution of penal laws, kept their zealous spirit under confinement. He was accused of high treason, in endeavouring to subvert the fundamental laws, and of other high crimes and misdemeanors. The same illegality of an accumulative crime and a constructive evidence, which appeared in the case of Strafford, the same violence and iniquity in conducting the trial, are conspicuous throughout the whole course of this prosecution. The groundless charge of popery, though belied by his whole life and conduct, was continually urged against the prisoner, and every error rendered unpardonable by this imputation, which was supposed to imply the height of all enormities. 'This man, my lords,' said Serjeant Wilde, concluding his long speech against him, 'is like Naaman the Syrian, a great man, but a leper.'²

We shall not enter into a detail of this matter, which, at present, seems to admit of little controversy. It suffices to say, that, after a long trial, and the examination of above a hundred and fifty witnesses, the commons found so little likelihood of obtaining a judicial sentence against Laud, that they were obliged to have recourse to their legislative authority, and to pass an ordinance for taking away the life of this aged prelate. Notwithstanding the low condition into which the

¹ Rush vol vi p 850, Dugdale, p 737

² Rush vol vi p 830.

house of peers was fallen, there appeared some intention of rejecting this ordinance, and the popular leaders were again obliged to apply to the multitude, and to extinguish, by threats of new tumults, the small remains of liberty possessed by the upper house. Seven peers alone voted in this important question. The rest, either from shame or fear, took care to absent themselves.¹

Laud, who had behaved during his trial with spirit and vigour of genius, sunk not under the horrors of his execution, but though he had usually professed himself apprehensive of a violent death, he found all his fears to be dissipated before that superior courage, by which he was animated. 'No one,' said he, 'can be more willing to send me out of life, than I am desirous to go.' Even upon the scaffold, and during the intervals of his prayers, he was harassed and molested by Sir John Clotworthy, a zealot of the reigning sect, and a great leader in the lower house. This was the time he chose for examining the principles of the dying primate, and trepanning him into a confession, that he trusted for his salvation to the merits of good works, not to the death of the Redeemer.² Having extricated himself from these theological toils, the archbishop laid his head on the block, and it was severed from the body at one blow.³ Those religious opinions, for which he suffered, contributed, no doubt, to the courage and constancy of his end. Sincere he undoubtedly was, and, however misguided, actuated by pious motives in all his pursuits, and it is to be regretted, that a man of such spirit, who conducted his enterprises with so much warmth and industry, had not entertained more enlarged views, and embraced principles more favourable to the general happiness of society.

The great and important advantage, which the party gained by Strafford's death, may, in some degree, palliate the iniquity of the sentence pronounced against him, but the execution of this old infirm prelate, who had so long remained an inoffensive prisoner, can be ascribed to nothing but vengeance and bigotry in those severe religionists, by whom the parliament was entirely governed. That he deserved a better fate was not questioned by any reasonable man, the degree of his merit, in other respects, was disputed. Some accused him of recommending slavish doctrines, of promoting persecution, and of encouraging superstition, while others thought, that his conduct in these three particulars, would admit of apology and extenuation.

That the 'letter' of the law, as much as the most flaming court-sermon, inculcates passive obedience, is apparent, and though the 'spirit' of a limited government seems to require, in extraordinary cases, some mitigation of so rigorous a doctrine, it must be confessed, that the preceding genius of the English constitution had rendered a mistake in this particular very natural and excusable. To inflict death, at least on those who depart from the exact line of truth in these nice questions, so far from being favourable to national liberty, savours strongly of the spirit of tyranny and proscription.

Toleration had hitherto been so little the principle of any Christian sect, that even the catholics, the remnant of the religion professed by their forefathers, could not obtain from the English the least indul-

¹ Warwick, p. 169.

² Rush vol vi pp 838, 839

³ 12th July, 1644.

gence This very house of commons, in their famous remonstrance, took care to justify themselves, as from the highest imputation, from any intention to relax the golden reins of discipline, as they called them, or to grant any toleration¹ And the enemies of the church were so fair from the beginning, as not to lay claim to liberty of conscience, which they called a toleration for foul murder They openly challenged the superiority, and even menaced the established church with that persecution, which they afterwards exercised against her with such severity. And if the question be considered in the view of policy, though a sect, already formed and advanced, may, with good reason, demand a toleration; what title had the puritans to this indulgence, who were just on the point of separation from the church, and whom, it might be hoped, some wholesome and legal severities would still retain in obedience?²

Whatever ridicule, to a philosophical mind, may be thrown on pious ceremonies, it must be confessed, that, during a very religious age, no institutions can be more advantageous to the rude multitude, and tend more to mollify that fierce and gloomy spirit of devotion, to which they are subject Even the English church, though it had retained a share of popish ceremonies, may justly be thought too naked and unadorned, and still to approach too near the abstract and spiritual religion of the puritans Laud and his associates, by reviving a few primitive institutions of this nature, corrected the error of the first reformers, and presented to the affrightened and astonished mind, some sensible, exterior observances, which might occupy it during its religious exercises, and abate the violence of its disappointed efforts The thought, no longer bent on that divine and mysterious essence, so superior to the narrow capacities of mankind, was able, by means of the new model of devotion, to relax itself in the contemplation of pictures, postures, vestments, buildings, and all the fine arts, which minister to religion, thereby received additional encouragement The primate, it is true, conducted this scheme, not with the enlarged sentiments and cool reflection of a legislator, but with the intemperate zeal of a sectary, and by overlooking the circumstances of the times, served rather to inflame that religious fury which he meant to repress But this blemish is more to be regarded as a general imputation on the whole age, than any particular failing of Laud's, and it is sufficient for his vindication to observe, that his errors were the most excusable of all those which prevailed during that zealous period.

¹ Nalson, vol. ii. p. 705

² That Laud's severity was not extreme appears from this fact, that he caused the acts or records of the high commission court to be searched, and found that there had been fewer suspensions, deprivations, and other punishments, by three, during the seven years of his time, than in any seven years of his predecessor, Abbot, who was notwithstanding in great esteem with the House of Commons Troubles and Trials of Laud, p. 164. But Abbot was little attached to the court, and was also a puritan in doctrine, and bore a mortal hatred to the papists not to mention, that the mutinous spirit was rising higher in the time of Laud, and would less bear control The maxims, however, of his administration were the same that had ever prevailed in England, and that had place in every other European nation, except Holland, which studied chiefly the interests of commerce, and France which was fettered by edicts and treaties To have changed them for the modern maxims of toleration, how reasonable soever, would have been deemed a very bold and dangerous enterprise It is a principle advanced by Montesquieu, that where the magistrate is satisfied with the established religion, he ought to repress the first attempts towards innovation, and only grant a toleration to sects that are diffused and established L'Esprit des Loix, liv. 25, chap. 10. According to this

CHAPTER LVIII.

Montrose's victories—The new model of the army—Battle of Naseby—Surrender of Bristol—The West conquered by Fairfax—Defeat of Montrose—Ecclesiastical affairs—the King goes to the Scots at Newark—End of the war—the King delivered up by the Scots

WHILE the king's affairs declined in England, some events happened in Scotland, which seemed to promise him a more prosperous issue of the quarrel

Before the commencement of these civil disorders, the Earl of Montrose, a young nobleman of a distinguished family, returning from his travels, had been introduced to the king, and had made an offer of his services, but by the insinuations of the Marquess, afterwards Duke of Hamilton, who possessed much of Charles's confidence, he had not been received with that distinction, to which he thought himself justly entitled (Nelson, Intr p 63). Disgusted with this treatment, he had forwarded all the violence of the covenanters; and, agreeably to the natural ardour of his genius, he had employed himself, during the first Scottish insurrection, with great zeal, as well as success, in levying and conducting their armies. Being commissioned by the 'Tables' to wait upon the king, while the royal army lay at Berwick, he was so gained by the civilities and caresses of that monarch, that he thenceforth devoted himself entirely, though secretly, to his service, and entered into a close correspondence with him. In the second insurrection, a great military command was entrusted to him by the covenanters; and he was the first that passed the Tweed, at the head of their troops, in the invasion of England. He found means, however, soon after to convey a letter to the king, and by the infidelity of some about that prince, Hamilton, as was suspected, a copy of this letter was sent to Leven, the Scottish general. Being accused of treachery, and a correspondence with the enemy; Montrose openly avowed the letter, and asked the generals, if they dared to call their sovereign an enemy, and by this bold and magnanimous behaviour, he escaped the danger of an immediate prosecution. As he was now fully known to be of the royal party, he no longer concealed his principles, and he endeavoured to draw those, who had entertained like sentiments, into a bond of association for his master's service. Though thrown into prison for this enterprise,¹ and detained some time, he was not discouraged, but still continued, by his countenance and protection, to infuse spirit into

principle, Laud's indulgence to the catholics, and severity to the puritans, would admit of apology. I own, however, that it is very questionable whether persecution can in any case be justified, but, at the same time, it would be hard to give that appellation to Laud's conduct, who only enforced the act of uniformity, and expelled the clergymen who accepted of benefices, and yet refused to observe the ceremonies, which they previously knew to be enjoined by law. He never refused them separate places of worship, because they themselves would have esteemed it impious to demand them, and no less impious to allow them.

¹ It is not improper to take notice of a mistake committed by Clarendon, much to the disadvantage of this gallant nobleman, that he offered the king, when his majesty was in Scotland, to assassinate Argyle. All the time the king was in Scotland, Montrose was confined to prison. Rush, vol vi p 980

the distressed royalists. Among other persons of distinction, who united themselves to him, was Lord Napier of Merchiston, son of the famous inventor of the logarithms, the person to whom the title of a Great Man is more justly due, than to any other whom his country ever produced.

There was in Scotland another party, who, professing equal attachment to the king's service, pretended only to differ with Montrose about the means of attaining the same end, and of that party, Duke Hamilton was the leader. This nobleman had cause to be extremely devoted to the king, not only by reason of the connection of blood, which united him to the royal family, but on account of the great confidence and favour, with which he had ever been honoured by his master. Being accused by Lord Rae, not without some appearance of probability, of a conspiracy against the king, Charles was so far from harbouring suspicion against him, that, the very first time Hamilton came to court, he received him into his bed-chamber, and passed alone the night with him (Nelson, vol. 11 p. 683). But such was the Duke's unhappy fate or conduct, that he escaped not the imputation of treachery to his friend and sovereign, and though he at last sacrificed his life in the king's service, his integrity and sincerity have not been thought by historians entirely free from blemish. Perhaps, (and this is the more probable opinion) the subtleties and refinements of his conduct and his temporising maxims, though accompanied with good intentions, have been the chief cause of a suspicion, which has never yet been either fully proved or refuted. As much as the bold and vivid spirit of Montrose prompted him to enterprising measures, as much was the cautious temper of Hamilton inclined to such as were moderate and dilatory. While the former foretold, that the Scottish covenants were secretly forming an union with the English parliament, and inculcated the necessity of preventing them by some vigorous undertaking; the latter still insisted, that every such attempt would precipitate them into measures, to which, otherwise, they were not, perhaps, inclined. After the Scottish convention was summoned without the king's authority, the former exclaimed, that their intentions were now visible, and that, if some unexpected blow were not struck, to dissipate them, they would arm the whole nation against the king, the latter maintained the possibility of outvoting the disaffected party, and securing, by peaceful means, the allegiance of the kingdom.¹ Unhappily for the royal cause, Hamilton's representations met with more credit from the king and queen, than those of Montrose, and the covenants were allowed, without interruption, to proceed in all their hostile measures. Montrose then hastened to Oxford, where his invectives against Hamilton's treachery, concurring with the general prepossession, and supported by the unfortunate event of his counsels, were entertained with universal approbation. Influenced by the clamour of his party, more than his own suspicions, Charles, as soon as Hamilton appeared, sent him prisoner to Pendennis castle in Cornwall. His brother, Lanark, who was also put under confinement, found means to make his escape, and to fly into Scotland.

¹ Clarendon vol. 11 pp. 380, 381, Rush. vol. vi p. 980, Wishart, cap. 2.

The king's ears were now opened to Montrose's counsels, who proposed none but the boldest and most daring, agreeably to the desperate state of the royal cause in Scotland. Though the whole nation was subjected by the covenanters, though great armies were kept on foot by them, and every place guarded by a vigilant administration, he undertook, by his own credit and that of the few friends who remained to the king, to raise such commotions as would soon oblige the malcontents to recal those forces which had so sensibly thrown the balance in favour of the parliament (Wishart, cap. 3). Not discouraged with the defeat at Marston-Moor, which rendered it impossible for him to draw any succour from England, he was content to stipulate with the Earl of Antrim, a nobleman of Ireland, for some supply of men from that country. And he himself, changing his disguises and passing through many dangers, arrived in Scotland, where he lay concealed in the borders of the Highlands and secretly prepared the minds of his partisans for attempting some great enterprise.¹

No sooner were the Irish landed, though not exceeding eleven hundred foot, very ill-armed, than Montrose declared himself and entered upon that scene of action which has rendered his name so celebrated. About eight hundred of the men of Athole flocked to his standard. Five hundred men more, who had been levied by the covenanters, were persuaded to embrace the royal cause and, with this combined force, he hastened to attack Lord Elcho, who lay at Perth with an army of 6,000 men, assembled upon the first news of the Irish invasion. Montrose, inferior in number, totally unprovided with horse, ill supplied with arms and ammunition, had nothing to depend on but the courage which he himself, by his own example and the rapidity of his enterprises, should inspire into his raw soldiers. Having received the fire of the enemy, which was answered chiefly by a volley of stones, he rushed amidst them with his sword drawn, threw them into confusion, pushed his advantage, and obtained a complete victory, with the slaughter of two thousand of the covenanters.²

This victory, though it augmented the renown of Montrose, increased not his power or numbers. The far greater part of the kingdom was extremely attached to the covenant, and such as bore an affection to the royal cause were terrified by the established authority of the opposite party. Dreading the superior power of Argyle, who, having joined his vassals to a force levied by the public, was approaching with a considerable army, Montrose hastened northwards, in order to rouse again the Marquess of Huntley and the Gordons, who, having before hastily taken arms, had been instantly suppressed by the covenanters. He was joined on his march by the Earl of Airly, with his two younger sons, Sir Thomas and Sir David Ogilvy. The eldest was at that time a prisoner with the enemy. He attacked, at Aberdeen, the Lord Burley, who commanded a force of 2,500 men. After a sharp combat, by his undaunted courage, which, in his situation, was true policy, and was also not unaccompanied with military skill, he put the enemy to flight, and in the pursuit did great execution upon them.³

¹ Clarendon, vol. v. p. 618, Rush, vol. vi. p. 982, Wishart, cap. 4.

² 1st Sept. 1644, Rush, vol. vi. p. 983, Wishart, cap. 5.

³ 11th Sept. 1644, Rush, vol. vi. p. 983, Wishart, cap. 7.

But by this second advantage he obtained not the end which he expected. The envious nature of Huntley, jealous of Montrose's glory, rendered him averse to join an army where he himself must be so much eclipsed by the superior merit of the general. Argyle, reinforced by the Earl of Lothian, was behind him with a great army, the militia of the northern counties, Murray, Ross, Caithness, to the number of 5,000 men, opposed him in front and guarded the banks of the Spey, a deep and rapid river. In order to elude these numerous armies he turned aside into the hills and saved his weak, but active, troops in Badenoch. After some marches and counter-marches Argyle came up with him at Fyvie Castle. This nobleman's character, though celebrated for political courage and conduct, was very low for military prowess; and, after some skirmishes, in which he was worsted, he here allowed Montrose to escape him. By quick marches through these inaccessible mountains that general freed himself from the superior forces of the covenanters.

Such was the situation of Montrose, that very good or very ill fortune was equally destructive to him, and diminished his army. After every victory his soldiers, greedy of spoil, but deeming the smallest acquisition to be unexhausted riches, deserted in great numbers, and went home to secure the treasures which they had acquired. Tired, too, and spent with hasty and long marches in the depth of winter through snowy mountains, unprovided with every necessary, they fell off and left their general almost alone with the Irish, who, having no place to which they could retire, still adhered to him in every fortune.

With these, and some reinforcements of the Athole men, and MacDonalds whom he had recalled, Montrose fell suddenly upon Argyle's country, and let loose upon it all the rage of war, carrying off the cattle, burning the houses, and putting the inhabitants to the sword. This severity, by which Montrose sullied his victories, was the result of private animosity against the chieftain, as much as of zeal for the public cause. Argyle, collecting 3000 men, marched in quest of the enemy, who had retired with their plunder, and he lay at Inverlochry, supposing himself still at a considerable distance from them. The Earl of Seaforth, at the head of the garrison of Inverness, who were veteran soldiers, joined to 5000 new levied troops of the northern counties, pressed the royalists on the other side, and threatened them with inevitable destruction. By a quick and unexpected march, Montrose hastened to Inverlochry, and presented himself in order of battle before the surprised, but not affrightened, covenanters. Argyle alone, seized with a panic, deserted his army, who still maintained their ground, and gave battle to the royalists. After a vigorous resistance, they (Feb. 2) were defeated, and pursued with great slaughter (Rush vol. vi. p. 985; Wishart, cap. 8). And the power of the Campbells (that is Argyle's name) being thus broken, the Highlanders, who were in general well affected to the royal cause, began to join Montrose's camp in great numbers. Seaforth's army dispersed of itself, at the very terror of his name. And Lord Gordon, eldest son of Huntley, having escaped from his uncle Argyle, who had hitherto detained him, now joined Montrose with no con-

temptible number of his followers, attended by his brother, the Earl of Aboyne

The council at Edinburgh, alarmed at Montrose's progress, began to think of a more regular plan of defence, against an enemy, whose repeated victories had rendered him extremely formidable. They sent for Baillie, an officer of reputation, from England, and joining him in command with Urrey, who had again enlisted himself among the king's enemies, they sent them into the field, with a considerable army, against the royalists. Montrose, with a detachment of 800 men, had attacked Dundee, a town extremely zealous for the covenant and having carried it by assault, had delivered it up to be plundered by his soldiers, when Baillie and Urrey, with their whole force, were unexpectedly upon him (Rush vol vii p 228, Wishart, cap 9). His conduct and presence of mind, in this emergence, appeared conspicuous. Instantly he called off his soldiers from plunder, put them in order, secured his retreat by the most skilful measures, and having marched sixty miles in the face of an enemy much superior, without stopping, or allowing his soldiers the least sleep or refreshment, he at last secured himself in the mountains.

Baillie and Urrey now divided their troops, in order the better to conduct the war against an enemy, who surprised them, as much by the rapidity of his marches, as by the boldness of his enterprises. Urrey, at the head of 4000 men, met him at Auldearn, near Inverness; and, encouraged by the superiority of number (for the covenanters were double the royalists), attacked him in the post which he had chosen. Montrose, having placed his right wing in strong ground, drew the best of his forces to the other, and left no main body between them, a defect which he artfully concealed, by showing a few men through the trees and bushes, with which that ground was covered. That Urrey might have no leisure to perceive the stratagem, he instantly led his left wing to the charge, and, making a furious impression upon the covenanters, drove them off the field, and gained a complete victory (Rush vol vii p 229, Wishart, cap 10). In this battle, the valour of young Napier, son to the lord of that name, shone out with signal lustre.

Baillie now advanced, in order to revenge Urrey's discomfiture; but, at Alford, he met, himself, with a like fate (2nd July). Montrose, weak in cavalry, here lined his troops of horse with infantry, and after putting the enemies' horse to rout, fell with united force upon their foot, who were entirely cut in pieces, though with the loss of the gallant Lord Gordon on the part of the royalists (Rush vol vii p 229, Wishart, cap 11). And having thus prevailed in so many battles, which his vigour ever rendered as decisive as they were successful, he summoned together all his friends and partisans, and prepared himself for marching into the southern provinces, in order to put a final period to the power of the covenanters, and dissipate the parliament, which, with great pomp and solemnity, they had summoned to meet at St. Johnstone's,—*the ancient name of Perth*.

While the fire was thus kindled in the north of the island, it blazed out with no less fury in the south. The parliamentary and royal armies, as soon as the season would permit, prepared to take the

field, in hopes of bringing their important quarrel to a quick decision. The passing of the self-denying ordinance had been protracted by so many debates and intrigues, that the spring was far advanced before it received the sanction of both houses, and it was thought dangerous by many to introduce, so near the time of action, such great innovations into the army. Had not the punctilious principles of Essex engaged him, amidst all the disgusts which he received, to pay implicit obedience to the parliament, this alteration had not been effected without some fatal accident. Since, notwithstanding his prompt resignation of the command, a mutiny was generally apprehended (Rush vol vii pp 126, 127) Fairfax, or more properly speaking, Cromwell, under his name, introduced, at last, the '*new model*' into the army, and threw the troops into a different shape. From the same men, new regiments and new companies were formed, different officers appointed, and the whole military force put into such hands, as the independents could rely on. Besides members of parliament who were excluded, many officers, unwilling to serve under the new generals, threw up their commissions, and unwarily facilitated the project of putting the army entirely into the hands of that faction.

Though the discipline of the former parliamentary army was not contemptible, a more exact plan was introduced, and rigorously executed, by these new commanders. Valour indeed was very generally diffused over the one party as well as the other, during this period. Discipline also was attained by the forces of the parliament. But the perfection of the military art, in concerting the general plans of action, and the operations of the field, seems still, on both sides, to have been, in a great measure, wanting. Historians at least, perhaps from their own ignorance and inexperience, have not remarked anything but a headlong impetuous conduct, each party hurrying to a battle, where valour and fortune chiefly determined the success. The great ornament of history, during these reigns, are the civil, not the military transactions.

Never surely was a more singular army assembled, than that which was now set on foot by the parliament. To the greater number of the regiments, chaplains were not appointed: the officers assumed the spiritual duty, and united it with their military functions. During the intervals of action, they occupied themselves in sermons, prayers, exhortations, and the same emulation, there, attended them, which, in the field, is so necessary to support the honour of that profession. Rapturous ecstasies supplied the place of study and reflection, and while the zealous devotees poured out their thoughts in unpremeditated harangues, they mistook that eloquence, which, to their own surprise, as well as that of others, flowed in upon them, for divine illuminations, and for illapses of the Holy Spirit. Wherever they were quartered, they excluded the minister from his pulpit, and, usurping his place, conveyed their sentiments to the audience, with all the authority, which followed their power, their valour, and their military exploits, united to their appearing zeal and fervour. The private soldiers, seized with the same spirit, employed their vacant hours in prayer, in perusing the Holy Scriptures in ghostly conferences, where they compared the progress of their souls in grace, and

mutually stimulated each other to farther advances in the great work of their salvation. When they were marching to battle, the whole field resounded, as well with psalms and spiritual songs adapted to the occasion, as with the instruments of military music (Dugdale, p 7, Rush. vol vi p 281), and every man endeavoured to drown the sense of present danger, in the prospect of that crown of glory, which was set before him. In so holy a cause, wounds were esteemed meritorious, death, martyrdom, and the hurry and dangers of action, instead of banishing their pious visions, rather served to impress their minds more strongly with them.

The royalists were desirous of throwing a ridicule on this fanaticism of the parliamentary armies, without being sensible how much reason they had to apprehend its dangerous consequences. The forces, assembled by the king at Oxford, in the west, and in other places, were equal, if not superior, in number, to their adversaries. but actuated by a very different spirit. That licence, which had been introduced by want of pay, had risen to a great height among them, and rendered them more formidable to their friends than to their enemies. Prince Rupert, negligent of the people, fond of the soldiery, had indulged the troops in unwarrantable liberties. Wilmot, a man of dissolute manners, had promoted the same spirit of disorder. and the licentious Goring, Gerrard, Sir Richard Granville, now carried it to a great pitch of enormity. In the west especially, where Goring commanded, universal spoil and havoc were committed, and the whole country was laid waste by the rapine of the army. All distinction of parties being in a manner dropped, the most devoted friends of the church and monarchy wished there for such success to the parliamentary forces, as might put an end to these oppressions. The country people, despoiled of their substance, flocked together in several places, armed with clubs and staves, and though they professed an enmity to the soldiers of both parties, their hatred was in most places levelled chiefly against the royalists, from whom they had met with the worst treatment. Many thousands of these tumultuary peasants were assembled in different parts of England, who destroyed all such straggling soldiers as they met with, and much infested the armies¹.

The disposition of the forces on both sides, was as follows. part of the Scottish army was employed in taking Pomfret, and other towns in Yorkshire. Part of it besieged Carlisle, valiantly defended by Sir Thomas Glenham. Chester, where Biron commanded, had long been blockaded by Sir William Brereton, and was reduced to great difficulties. The king being joined by the princes Rupert and Maurice, lay at Oxford, with a considerable army, about 15,000 men. Fairfax and Cromwell were posted at Windsor, with the new-modelled army, about 22,000 men. Taunton, in the county of Somerset, defended by Blake, suffered a long siege from Sir Richard Granville, who commanded an army of about 8000 men, and though the defence had been obstinate, the garrison was now reduced to the last extremity. Goring commanded, in the west, an army of nearly the same number (Rush vol vii p 18, 19, &c)

¹ Rush. vol vi pp 52, 61, 62, Whitlocke, pp 130, 131, 133, 135, Clarendon, vol v p 665.

On opening the campaign, the king formed the project of relieving Chester, Fairfax that of relieving Taunton. The king was first in motion. When he advanced to Draiton in Shropshire, Biron met him, and brought intelligence that his approach had raised the siege and that the parliamentary army had withdrawn. Fairfax, having reached Salisbury in his road westward, received orders from the committee of both kingdoms, appointed for the management of the war, to return and lay siege to Oxford, now exposed by the king's absence. He obeyed after sending Colonel Weldon to the west with a detachment of 4,000 men. On Weldon's approach, Granville, who imagined that Fairfax with his whole army was upon him, raised the siege, and allowed this pertinacious town, now half taken and half burned, to receive relief. But the royalists, being reinforced with 3,000 horse under Goring, again advanced to Taunton, and shut up Weldon with his small army in that ruinous place (Rushworth, vol vii p. 28.)

The king having effected his purpose with regard to Chester, returned southwards, and, in his way, sat down before Leicester, a garrison of the parliament's. Having made a breach in the wall, he stormed the town on all sides, and, after a furious assault, the soldiers entered sword in hand, and committed all those disorders to which their natural violence, especially when inflamed by resistance, is so much addicted (Clarendon, vol v p. 652). A great booty was taken and distributed among them. Fifteen hundred prisoners fell into the king's hands. This success, which struck a great terror into the parliamentary party, determined Fairfax to leave Oxford, which he was beginning to approach, and he marched towards the king with an intention of offering him battle. The king was advancing towards Oxford in order to raise the siege, which he apprehended was now begun, and both armies, ere they were aware, had advanced within six miles of each other. A council of war was called by the king in order to deliberate concerning the measures which he should now pursue. On the one hand it seemed more prudent to delay the combat, because Gerrard, who lay in Wales with 3,000 men, might be enabled, in a little time, to join the army, and Goring it was hoped, would soon be master of Taunton, and having put the west in full security, would then unite his forces to those of the king, and give him an incontestable superiority over the enemy. On the other hand, Prince Rupert, whose boiling ardour still pushed him on to battle, excited the impatient humour of the nobility and gentry, of which the army was full, and urged the many difficulties under which the royalists laboured, and from which nothing but a victory could relieve them. The resolution was taken to give battle to Fairfax, and the royal army immediately advanced upon him.

At Naseby was fought, with forces nearly equal, this decisive and well-disputed action between the king and parliament. The main body of the royalists was commanded by the king himself, the right wing by Prince Rupert, the left by Sir Marmaduke Langdale. Fairfax, seconded by Skippon, placed himself in the main body of the opposite army, Cromwell in the right wing, Ireton, Cromwell's son-in-law, in the left. The charge was begun, with his usual celerity and usual success,

by Prince Rupert Though Ireton made stout resistance, and even after he was run through the thigh with a pike, still maintained the combat till he was taken prisoner, yet was that whole wing broken, and pursued with precipitate fury by Rupert He was even so inconsiderate as to lose time in summoning and attacking the artillery of the enemy, which had been left with a good guard of infantry The king led on his main body, and displayed in this action all the conduct of a prudent general, and all the valour of a stout soldier (Whitlocke, p 146) Fairfax and Skippon encountered him, and well supported that reputation which they had acquired Skippon being dangerously wounded was desired by Fairfax to leave the field, but declared that he would remain there as long as one man maintained his ground (Rush. vol vii p 43, Whitlocke, p 145) The infantry of the parliament was broken, and pressed upon by the king, till Fairfax, with great presence of mind, brought up the reserve and renewed the combat Meanwhile Cromwell, having led on his troops to the attack of Langdale, overbore the force of the royalists, and by his prudence improved that advantage which he had gained by his valour Having pursued the enemy about a quarter of a mile, and detached some troops to prevent their rallying, he turned back upon the king's infantry, and threw them into the utmost confusion One regiment alone preserved its order unbroken, though twice desperately assailed by Fairfax, and that general, excited by so steady a resistance, ordered D'Oyley, the captain of his life-guard, to give them a third charge in front, while he himself attacked them in rear The regiment was broken Fairfax, with his own hands, killed an ensign, and, having seized the colours, gave them to a soldier to keep for him The soldier afterwards boasting that he had won this trophy, was reproved by D'Oyley, who had seen the action. 'Let him retain that honour,' said Fairfax, 'I have to-day acquired enough beside' (Whitlocke, p 145)

Prince Rupert, sensible too late of his error, left the fruitless attack on the enemy's artillery and joined the king, whose infantry was now totally discomfited Charles exhorted this body of cavalry not to despair, and cried aloud to them, 'One charge more and we recover the day' (Rush vol vii p 44) But the disadvantages under which they laboured, were too evident, and they could by no means be induced to renew the combat Charles was obliged to quit the field and leave the victory to the enemy (Clarendon, vol iv p 656, 657, Walker, p 130, 131) The slain on the side of the parliament exceeded those on the side of the king They lost 1,000 men, he not above 800, but Fairfax made 500 officers prisoners, and 4,000 private men, took all the king's artillery and ammunition, and totally dissipated his infantry, so that scarce any victory could be more complete than that which he obtained

Among the other spoils was seized the king's cabinet, with the copies of his letters to the queen, which the parliament afterwards ordered to be published (Clarendon, vol iv p 658) They chose, no doubt, such of them as they thought would reflect dishonour on him; yet, upon the whole, the letters are written with delicacy and tenderness, and give an advantageous idea both of the king's genius and morals. A mighty fondness, it is true, and attachment he expresses to

his consort, and often professes that he never would embrace any measures which she disapproved. But such declarations of civility and confidence are not always to be taken in a full literal sense. And so legitimate an affection, avowed by the laws of God and man, may, perhaps, be excusable towards a woman of beauty and spirit, even though she was a papist¹.

The Athenians, having intercepted a letter written by their enemy—Philip of Macedon to his wife Olympia—so far from being moved by a curiosity of prying into the secrets of that relation, immediately sent the letter to the queen unopened. Philip was not their sovereign, nor were they inflamed with that violent animosity against him which attends all civil commotions.

After the battle the king retreated with that body of horse which remained entire, first to Hereford, then to Abergavenny, and remained some time in Wales, from the vain hope of raising a body of infantry in those harassed and exhausted quarters. Fairfax having first (June 17) retaken Leicester, which was surrendered upon articles, began to deliberate concerning his future enterprises. A letter was brought him, written by Goring to the king, and unfortunately entrusted to a spy of Fairfax's. Goring there informed the king that in three weeks he hoped to be master of Taunton, after which he would join his majesty with all the forces in the west, and entreated him, in the meanwhile, to avoid coming to any general action. This letter, which, had it been safely delivered, had probably prevented the battle of Naseby, served now to direct the operations of Fairfax (Rush vol vii p 49). After leaving a body of 3,000 men to Pointz and Rossiter, with orders to attend the king's motions, he marched immediately to the west, with a view of saving Taunton, and suppressing the only considerable force which now remained to the royalists.

In the beginning of the campaign, Charles, apprehensive of the event, had sent the Prince of Wales, then fifteen years of age, to the west, with the title of general, and had given orders if he were pressed by the enemy, that he should make his escape into a foreign country, and save one part of the royal family from the violence of the parliament. Prince Rupert had thrown himself into Bristol, with an intention of defending that important city. Goring commanded the army before Taunton.

On Fairfax's approach, the siege of Taunton was (July 20) raised, and the royalists retired to Lamport, an open town in the county of Somerset. Fairfax attacked them in that post, beat them from it, killed about 300 men, and took 1,400 prisoners (Rush vol vii p 55). After this advantage he sat down before Bridgewater, a town esteemed strong, and of great consequence in that country. When he had entered the outer town by storm, Windham, the governor, who had

¹ Hearne has published the following extract from a manuscript work of Sir Simon D'Ewes, who was no mean man in the parliamentary party. 'On Thursday, the 30th and last day of this instant June, 1625, I went to Whitehall, purposely to see the queen, which I did fully all the time she sat at dinner. I perceived her to be a most absolute delicate lady, after I had exactly surveyed all the features of her face, much enlivened by her radiant and sparkling black eyes. Besides, her deportment among her women was so sweet and humble, and her speech and looks to her other servants so mild and gracious, as I could not abstain from divers deep fetched sighs, to consider, that she wanted the knowledge of the true religion.' Preface to the Chron. of Dunstable, p. 64.

retired into the inner, immediately capitulated and delivered up the place to Fairfax. The garrison, to the number of 2,600 men were (July 23) made prisoners of war.

Fairfax, having next taken Bath and Sherborne, resolved to lay siege to Bristol, and made great preparations for an enterprise, which, from the strength of the garrison and the reputation of Prince Rupert, the governor, was deemed of the last importance. But so precarious in most men is this quality of military courage! A poorer defence was not made by any town during the whole war, and the general expectations were here extremely disappointed. No sooner had the parliamentary forces entered the lines by storm, than the prince capitulated, and surrendered the city to Fairfax (Rush vol vii p 83). A few days before, he had (Sept 11) written a letter to the king, in which he undertook to defend the place for four months, if no mutiny obliged him to surrender it. Charles, who was forming schemes and collecting forces for the relief of Bristol, was astonished at so unexpected an event, which was little less fatal to his cause than the defeat at Naseby (Clarendon, vol iv p 690, Walker, p 137). Full of indignation he instantly recalled all Prince Rupert's commissions, and sent him a pass to go beyond sea (Clarendon, vol iv p. 695).

The king's affairs now went fast to ruin in all quarters. The Scots having made themselves masters of Carlisle (June 28), after an obstinate siege, marched southwards, and laid siege to Hereford, but were obliged to raise it on the king's approach. and this was the last glimpse of success which attended his arms. Having marched to the relief of Chester, which was anew besieged by the parliamentary forces under Colonel Jones, Pointz attacked his rear, and forced him to give battle. While the fight was (Sept 24) continued with great obstinacy, and victory seemed to incline to the royalists, Jones fell upon them from the other side, and put them to rout, with the loss of 600 slain, and 1000 prisoners (Rush vol vii p 117). The king, with the remains of his broken army, fled to Newark, and thence escaped to Oxford, where he shut himself up during the winter season.

The news, which he received from every quarter, were no less fatal than those events which passed where he himself was present. Fairfax and Cromwell, after the surrender of Bristol, having divided their forces, the former marched westwards in order to complete the conquest of Devonshire and Cornwall, the latter attacked the king's garrisons which lay to the east of Bristol. The Devizes were surrendered to Cromwell, Berkeley Castle was taken by storm, Winchester capitulated, Basing-House was entered sword in hand and all these middle counties of England were, in a little time, reduced to obedience under the parliament.

The same rapid and uninterrupted success attended Fairfax. The parliamentary forces, elated by past victories, governed by the most rigid discipline, met with no equal opposition from troops, dismayed by repeated defeats, and corrupted by licentious manners. After beating up the quarters of the royalists at Bovey-Tracy, Fairfax sat (Jan 18) down before Dartmouth, and in a few days entered it by storm. Poudram Castle being taken by him, and Exeter blockaded on all sides, Hopton, a man of merit, who now commanded the

royalists, having advanced to the relief of that town with an army of 8000 men, met with the parliamentary army at Torrington, where (Feb 19) he was defeated, all his foot dispersed, and he himself, with his horse, obliged to retire into Cornwall. Fairfax followed him, and vigorously pursued the victor. Having enclosed the royalists at Truro, he forced the whole army, consisting of 5000 men, chiefly cavalry, to surrender upon terms. The soldiers, delivering up their horses and arms, were allowed to disband, and received twenty shillings a-piece, to carry them to their respective abodes. Such of the officers who desired it, had passes to retire beyond sea; the others, having promised never more to bear arms, paid compositions to the parliament,¹ and procured their pardon (Rush vol vii p 108). And thus Fairfax, after taking Exeter, which completed the conquest of the west, marched, with his victorious army, to the centre of the kingdom, and fixed his camp at Newbury. The Prince of Wales, in pursuance of the king's orders, retired to Scilly, thence to Jersey, whence he went to Paris; where he joined the queen, who had fled thither from Exeter, at the time the Earl of Essex conducted the parliamentary army to the west.

In the other parts of England, Hereford was taken by surprise: Chester surrendered. Lord Digby, who had attempted, with 1200 horse, to break into Scotland and join Montrose, was defeated at Sherburne, in Yorkshire, by Colonel Copley, his whole force was dispersed, and he himself was obliged to fly, first to the Isle of Man, thence to Ireland. News too arrived that Montrose himself, after some more successes, was at last routed, and this only remaining hope of the royal party finally extinguished.

When Montrose descended into the southern counties, the covenanters, assembling their whole force, met him with a numerous army, and gave him battle, but without success, at Kilsyth (Aug 15, 1645). This was the most complete victory that Montrose ever obtained. The royalists put to the sword 6000 of their enemies, and left the covenanters no remains of any army in Scotland. The whole kingdom was shaken with these repeated successes of Montrose, and many noblemen, who secretly favoured the royal cause, now declared openly for it, when they saw a force able to support them. The Marquis of Douglas, the Earls of Annandale and Hartfield, the Lords Fleming, Seton, Maderty, Carnegie, with many others, flocked to the royal standard. Edinburgh opened its gates, and gave liberty to all the prisoners there detained by the covenanters. Among the rest was Lord Ogilvy, son of Airly, whose family had contributed extremely to the victory gained at Kilsyth (Rush vol vii pp 230, 231, Wishart, cap 13).

David Lesly was detached from the army in England, and marched to the relief of his distressed party in Scotland. Montrose advanced still farther to the south, allured by vain hopes, both of rousing to arms the Earls of Hume, Triaquair, and Roxburgh, who had promised to join him, and of obtaining from England some supply of

¹ These compositions were different, according to the demerits of the person but by a vote of the house they could not be under two years rent of the delinquent's estate. Journ. xixth Aug 1648, Whitlocke, p 160.

cavalry, in which he was deficient By the negligence of his scouts, Lesly, at Philip-haugh in the Forest, surprised his army, much diminished in numbers, from the desertion of the Highlanders, who had retired to the hills, according to custom, in order to secure their plunder After a sharp conflict, where Montrose exerted great valour, his forces were routed by Lesly's cavalry (Sept. 13, 1645) and he himself was obliged to fly with his broken forces into the mountains, where he again prepared himself for new battles and new enterprizes (Rush. vol. vii p 231)

The covenanters used the victory with rigour Their prisoners, Sir Robert Spotiswood, secretary of state, and son to the late primate, Sir Philip Nisbet, Sir William Rollo, Colonel Nathaniel Gordon, Andrew Guthrie, son of the bishop of Murray, William Murray, son of the Earl of Tullibardine, were condemned and executed The sole crime, imputed to the secretary, was his delivering to Montrose the king's commission to be captain-general of Scotland Lord Ogilvy, who was again taken prisoner, would have undergone the same fate, had not his sister found means to procure his escape, by changing clothes with him For this instance of courage and dexterity, she met with harsh usage The clergy solicited the parliament, that more royalists might be executed, but could not obtain their request (Guthry's Mem., Rush vol vii p 232)

After all these repeated disasters, which everywhere befel the royal party, there remained only one body of troops, on which fortune could exercise her rigour Lord Astley, with a small army of 3000 men, chiefly cavalry, marching to Oxford, in order to join the king, was (March 22) met at Stowe by Colonel Morgan, and entirely defeated, himself being taken prisoner 'You have done your work,' said Astley to the parliamentary officers, 'and may now go to play, unless you choose to fall out among yourselves'¹

The condition of the king during this whole winter, was to the last degree disastrous and melancholy As the dread of ills is commonly more oppressive than their real presence, perhaps in no period of his life was he more justly the object of compassion His vigour of mind, which, though it sometimes failed him in acting, never deserted him in his sufferings, was what alone supported him, and he was determined, as he wrote to Lord Digby, if he could not live as a king, to die like a gentleman, nor should any of his friends, he said, ever have reason to blush for the prince whom they had so unfortunately served (Carte's Ormond, vol iii No 433) The murmurs of discontented officers, on the one hand, harassed their unhappy sovereign, while they overrated those services and sufferings, which, they now saw, must, for ever, go unrewarded (Walker, p 147) The affectionate duty, on the other hand, of his more generous friends, who respected his misfortunes and his virtues, as much as his dignity, wrung his heart with a new sorrow, when he reflected, that such disinterested attachment would so soon be exposed to the rigour of his implacable enemies Repeated

¹ Rush vol vii p 141 It was the same Ashley, who, before he charged at the battle of Edgehill, made this short prayer, *O Lord! thou knowest how busy I must be this day If I forget thee, do not thou forget me* And with that rose up, and cried, *March on boys!* Warwick, p 229 There were certainly much longer prayers said in the parliamentary army, but I doubt if there was so good a one

attempts, which he made for a peaceful and equitable accommodation with the parliament, served to no purpose, but to convince them, that the victory was entirely in their hands. They deigned not to make the least reply to several of his messages, in which he desired a passport for commissioners (Rush vol vii p 215, &c) At last, after reproaching him with the blood spilt during the war, they told him, that they were preparing bills for him, and his passing them would be the best pledge of his inclination towards peace. In other words, he must yield at discretion (Rush vol vii pp 217, 219, Clarendon, vol. iv p 744) He desired a personal treaty, and offered to come to London, upon receiving a safe conduct for himself and his attendants. They absolutely refused him admittance, and issued orders for the guarding, that is, the seizing of his person, in case he should attempt to visit them (Rush vol vii p 249, Clarendon, vol. iv p 741) A new incident, which happened in Ireland served to enflame the minds of men, and to increase those calumnies, with which his enemies had so much loaded him, and which he ever regarded as the most grievous part of his misfortunes.

After the cessation with the Irish rebels, the king was desirous of concluding a final peace with them, and obtaining their assistance in England. and he gave authority to Ormond, lord lieutenant, to promise them an abrogation of all the penal laws enacted against catholics, together with the suspension of Poining's statute, with regard to some particular bills, which should be agreed on. Lord Herbert, created Earl of Glamorgan (though his patent had not yet passed the seals), having occasion for his private affairs to go to Ireland, the king considered, that this nobleman, being a catholic, and allied to the best Irish families, might be of service. He also foresaw, that farther concessions with regard to religion might probably be demanded by the bigoted Irish, and that, as these concessions, however necessary, would give great scandal to the protestant zealots in his three kingdoms, it would be requisite, both to conceal them during some time, and to preserve Ormond's character, by giving private orders to Glamorgan to conclude and sign these articles. But as he had a better opinion of Glamorgan's zeal and affection for his service, than of his capacity, he enjoined him to communicate all his measures to Ormond; and though the final conclusion of the treaty must be executed only in Glamorgan's own name, he was required to be directed, in the steps towards it, by the opinion of the lord lieutenant. Glamorgan, bigoted to his religion, and passionate for the king's service, but guided in these pursuits by no manner of judgment or discretion, secretly, of himself, without any communication with Ormond, concluded a peace with the council of Kilkenny, and agreed in the king's name, that the Irish should enjoy all the churches, of which they had ever been in possession, since the commencement of their insurrection, on condition that they should assist the king in England with a body of 10,000 men. This transaction was discovered by accident. The titular archbishop of Tuam being killed by a sally of the garrison of Sligo, the articles of the treaty were found among his baggage, and were immediately published everywhere, and copies of them sent over to the English parliament (Rush. vol. vii p 239) The lord lieutenant and

Lord Digby, foreseeing the clamour which would be raised against the king, committed Glamorgan to prison, charged him with treason for his temerity, and maintained, that he had acted altogether without any authority from his master. The English parliament however neglected not so favourable an opportunity of reviving the old clamour with regard to the king's favour of popery, and accused him of delivering over, in a manner, the whole kingdom of Ireland to that hated sect. The king told them, 'That the Earl of Glamorgan having made an offer to raise forces in the kingdom of Ireland, and to conduct them into England for his majesty's service, had a commission to that purpose, and to that purpose only, and that he had no commission at all to treat of anything else, without the privity and direction of the lord lieutenant, much less to capitulate anything concerning religion, or any property belonging either to church or laity' (Birch, p 119) Though this declaration seems agreeable to truth, it gave no satisfaction to the parliament; and some historians, even at present, when the ancient bigotry is somewhat abated, are desirous of representing this very innocent transaction, in which the king was engaged by the most violent necessity, as a stain on the memory of that unfortunate prince.¹

¹ Dr Birch has written a treatise on this subject. It is not my business to oppose any facts contained in that gentleman's performance. I shall only produce arguments, which prove that Glamorgan, when he received his private commission, had injunctions from the king to act altogether in concert with Ormond. (1) It seems to be implied in the very words of the commission Glamorgan is empowered and authorised to treat and conclude with the confederate Roman Catholics in Ireland. 'If upon necessity any (articles) be condescended unto, wherein the king's lieutenant cannot so well be seen in, as not fit for us at present publicly to own' Here no articles are mentioned, which are not fit to be communicated to Ormond, but only not fit for him, and the king publicly to be seen in, and to avow. (2) The king's protestation to Ormond ought, both on account of that prince's character, and the reasons he assigns, to have the greatest weight. The words are these 'Ormond, I cannot but add to my long letter, that, upon the word of a Christian, I never intended Glamorgan should treat anything without your approbation, much less without your knowledge. For besides the injury to you, I was always diffident of his judgment (though I could not think him so extremely weak as now to my cost I have found), which you may easily perceive in a postscript of a letter of mine to you' (Carte, vol. II App. xxxiii.) It is impossible, that any man of honour, however he might dissemble with his enemies, would assert a falsehood in so solemn a manner to his best friend, especially where that person must have had opportunities of knowing the truth. The letter, whose postscript is mentioned by the king, is to be found in Carte, vol. II App. xiii. (3) As the king had really so low an opinion of Glamorgan's understanding, it is very unlikely that he would trust him with the sole management of so important and delicate a treaty. And if he had intended, that Glamorgan's negotiation should have been independent of Ormond, he would never have told the latter nobleman of it, nor have put him on his guard against Glamorgan's imprudence. That the king judged aright of this nobleman's character, appears from his *century of arts or scantling of inventions*, which is a ridiculous compound of lies, chimeras and impossibilities, and shows what might be expected from such a man. (4) Mr Carte has published a whole series of the king's correspondence with Ormond from the time that Glamorgan came into Ireland, and it is evident that Charles all along considers the lord lieutenant as the person who was conducting the negotiations with the Irish. The 31st July, 1645, after the battle of Naseby, being reduced to great straits, he writes earnestly to Ormond to conclude a peace upon certain conditions mentioned, much inferior to those granted by Glamorgan, and to come over himself with all the Irish he could engage in his service (Carte, vol. III No. 400.) This would have been a great absurdity, if he had already fixed a different channel, by which, on very different conditions, he purposed to establish a peace. On the 22nd Oct., as his distresses multiply, he somewhat enlarges the conditions, though they still fall short of Glamorgan's. a new absurdity (Carte, vol. III p. 411.) (5) But what is equivalent to a demonstration, that Glamorgan was conscious, that he had no powers to conclude a treaty on these terms, or without consulting the lord-lieutenant, and did not even expect that the king would ratify the articles, is the defeazance which he gave to the Irish council at the time of signing the treaty. 'The Earl of Glamorgan does no way intend hereby to oblige his majesty other than he himself shall please, after he has received these 10,000 men as a pledge and testimony of the said Roman Catholics' loyalty and fidelity to his

Having lost all hope of prevailing over the rigour of the parliament, either by arms or by treaty, the only resource, which remained to the king, was derived from the intestine dissensions, which ran very high among his enemies. Presbyterians and independents, even before their victory was fully completed, fell into contests about the division of the spoil, and their religious as well as civil disputes agitated the whole kingdom.

The parliament, though they had early abolished episcopal authority, had not, during so long a time, substituted any other spiritual government in its place, and their committees of religion had hitherto assumed the whole ecclesiastical jurisdiction. But they now established, by an ordinance, the presbyterian model in all its forms of 'congregational, classical, provincial, and national' assemblies. All the inhabitants of each parish were ordered to meet and choose elders, on whom, together with the minister, was bestowed the entire direction of all spiritual concerns within the congregation. A number of neighbouring parishes, commonly between twelve and twenty, formed a classis, and the court, which governed this division, was composed of all the ministers, together with two, three, or four elders chosen from each parish. The provincial assembly retained an inspection over several neighbouring classes, and was composed entirely of clergymen. The national assembly was constituted in the same manner, and its authority extended over the whole kingdom. It is probable, that the tyranny, exercised by the Scottish clergy, had given warning not to allow a layman a place in the provincial or national assemblies, lest the nobility and more considerable gentry, soliciting a seat in these great ecclesiastical courts, should bestow a consideration upon them, and render them, in the eyes of the multitude, a rival to the parliament. In the inferior courts, the mixture of the laity might serve rather to temper the usual zeal of the clergy (Rush vol vii p 224).

But though the presbyterians, by the establishment of parity among

his majesty, yet he promises faithfully, upon his word and honour, not to acquaint his majesty with this defeazance, till he had endeavoured, as far as in him lay, to induce his majesty to the granting of the particulars in the said articles: but that done, the said commissioners discharge the said Earl of Glamorgan, both in honour and conscience, of any farther engagement to them therein, though his majesty should not be pleased to grant the said particulars in the articles mentioned, the said earl having given them assurance, upon his word, honour, and voluntary oath, that he would never, to any person whatsoever, discover this defeazance in the interim without their consent' (Dr Birch, p 96.) All Glamorgan's view was to get troops for the king's service without hurting his own honour or his master's. The wonder only is, why the Irish accepted of a treaty, which bound nobody, and which the very person, who concludes it, seems to confess he does not expect to be ratified. They probably hoped, that the king would, from their services, be more easily induced to ratify a treaty which was concluded, than to consent to its conclusion. (6) I might add, that the lord-lieutenant's concurrence in the treaty was the more requisite, because without it the treaty could not be carried into execution by Glamorgan, nor the Irish troops be transported into England: and even with Ormond's concurrence, it clearly appears that a treaty, so ruinous to the Protestant religion in Ireland, could not be executed in opposition to the zealous Protestants in that kingdom. No one can doubt of this truth, who peruses Ormond's correspondence in Mr Carte. The king was sufficiently apprised of this difficulty. It appears indeed to be the only reason why Ormond objected to the granting of high terms to the Irish catholics.

Dr Birch, in p 360, has published a letter of the king's to Glamorgan, where he says, 'Howbeit I know you cannot be but confident of my making good all instructions and promises to you and the nuncio.' But it is to be remarked, that this letter is dated April 5, 1646, after there had been a new negotiation entered into between Glamorgan and the Irish, and after a provisional treaty had even been concluded between them (Dr Birch, p 179). The king's assurances, therefore, can plainly relate only to this recent transaction. The old treaty had long been disavowed by the king, and supposed by all parties to be annulled.

the ecclesiastics, were so far gratified, they were denied satisfaction in several other points, on which they were extremely intent. The assembly of divines had voted presbytery to be of divine right. The parliament refused their assent to that decision (Whitlocke, p. 106, Rush vol. vii. pp. 260, 261). Selden, Whitlocke, and other political reasoners, assisted by the independents, had prevailed in this important deliberation. They thought, that, had the bigoted religionists been able to get their heavenly charter recognised, the presbyters would soon become more dangerous to the magistrate than had ever been the prelatical clergy. These latter, while they claimed to themselves a divine right, admitted of a like origin to civil authority: the former, challenging to their own order a celestial pedigree, derived the legislative power from a source no more dignified than the voluntary association of the people.

Under colour of keeping the sacraments from profanation, the clergy of all christian sects had assumed, what they call the power of the keys, or the right of fulminating excommunication. The example of Scotland was a sufficient lesson for the parliament to use precaution in guarding against so severe a tyranny. They determined, by a general ordinance, all the cases in which excommunication could be used. They allowed of appeals to parliament from all ecclesiastical courts; and they appointed commissioners in every province to judge of such cases as fell not within their general ordinance (Rush vol. vii. p. 210). So much civil authority, intermixed with the ecclesiastical, gave disgust to all the zealots.

But nothing was attended with more universal scandal than the propensity of many in the parliament towards a toleration of the protestant sectaries. The presbyterians exclaimed, that this indulgence made the church of Christ resemble Noah's ark, and rendered it a receptacle for all unclean beasts. They insisted, that the least of Christ's truths was superior to all political considerations (Rush vol. vii. p. 308). They maintained the eternal obligation imposed by the covenant to extirpate heresy and schism. And they menaced all their opponents with the same rigid persecution, under which they themselves had groaned, when held in subjection by the hierarchy.

So great prudence and reserve, in such material points, does great honour to the parliament, and proves, that, notwithstanding the prevalence of bigotry and fanaticism, there were many members, who had more enlarged views, and paid regard to the civil interests of society. These men, uniting themselves to the enthusiasts, whose genius is naturally averse to clerical usurpations, exercised so jealous an authority over the assembly of divines, that they allowed them nothing but the liberty of tendering advice, and would not entrust them even with the power of electing their own chairman or his substitute, or of supplying the vacancies of their own members.

While these disputes were canvassed by theologians, who engaged in their spiritual contests every order of the state, the king, though he entertained hopes of reaping advantage from those divisions, was much at a loss which side it would be most for his interest to comply with. The presbyterians were, by their principles, the least averse to regal authority; but were rigidly bent on the extirpation of prelacy:

the independents were resolute to lay the foundation of a republican government, but as they pretended not to erect themselves into a national church, it might be hoped, that, if gratified with a toleration, they would admit the re-establishment of the hierarchy. So great attachment had the king to episcopal jurisdiction, that he was ever inclined to put it in balance even with his own power and kingly office.

But whatever advantage he might hope to reap from the divisions in the parliamentary party, he was apprehensive, lest it should come too late, to save him from the destruction with which he was instantly threatened. Fairfax was approaching with a powerful and victorious army, and was taking the proper measures for laying siege to Oxford, which must infallibly fall into his hands. To be taken captive, and led in triumph by his insolent enemies, was what Charles justly abhorred, and every insult, if not violence, was to be dreaded, from that enthusiastic soldiery, who hated his person, and despised his dignity. In this desperate extremity, he embraced a measure, which, in any other situation, might lie under the imputation of imprudence and indiscretion.

Montreville, the French minister, interested for the king more by the natural sentiments of humanity, than any instructions from his court, which seemed rather to favour the parliament, had solicited the Scottish generals and commissioners, to give protection to their distressed sovereign, and having received many general professions and promises, he had always transmitted these, perhaps with some exaggeration, to the king. From his suggestions, Charles began to entertain thoughts of leaving Oxford, and flying to the Scottish army, which at that time lay before Newaik (Clarendon, vol. iv p. 750, vol. v p. 16). He considered, that the Scottish nation had been fully gratified in all their demands, and having already, in their own country, annihilated both episcopacy and regal authority, had no farther concessions to exact from him. In all disputes, which had passed about settling the terms of peace, the Scots, he heard, had still adhered to the milder side, and had endeavoured to soften the rigour of the English parliament. Great disgusts also on other accounts, had taken place between the nations; and the Scots found that, in proportion as their assistance became less necessary, less value was put upon them. The progress of the independents gave them great alarm, and they were scandalised to hear their beloved covenant spoken of, every day, with less regard and reverence. The refusal of a divine right to presbytery, and the infringing of ecclesiastical discipline from political considerations, were, to them, the subject of much offence. and the king hoped, that, in their present disposition, the sight of their native prince, flying to them in this extremity of distress, would rouse every spark of generosity in their bosom, and procure him their favour and protection.

That he might the better conceal his intentions, orders were given at every gate in Oxford, for allowing three persons to pass, and in the night the king, accompanied by none but Dr. Hudson and Mr Ashburnham, went out at that gate, which leads to London. He rode before a portmanteau, and called himself Ashburnham's servant. He passed through Henley, St. Albans, and came so near to London as

Harrow on the Hill He once entertained thoughts of entering into that city, and of throwing himself on the mercy of the parliament. But at last, after passing through many cross roads, he arrived (May 5) at the Scottish camp before Newark (Rush. vol vii p 267) The parliament, hearing of his escape from Oxford, issued rigorous orders, and threatened with instant death whoever should harbour or conceal him (Whitlocke, p 209).

The Scottish generals and commissioners affected great surprise on the appearance of the king and though they paid him all the exterior respect due to his dignity, they instantly set a guard upon him, under colour of protection, and made him in reality a prisoner They informed the English parliament of this unexpected incident, and assured them, that they had entered into no private treaty with the king They applied to him for orders to Bellasis, governor of Newark, to surrender that town, now reduced to extremity, and the orders were instantly obeyed And hearing, that the parliament laid claim to the entire disposal of the king's person, and that the English army was making some motions towards them, they thought proper to retire northwards, and to fix their camp at Newcastle (Rush vol vii. p 271; Clarendon, vol v p 23)

This measure was very grateful to the king, and he began to entertain hopes of protection from the Scots He was particularly attentive to the behaviour of their preachers, on whom all depended It was the mode of that age to make the pulpit the scene of news, and on every great event, the whole scripture was ransacked by the clergy for passages applicable to the present occasion The first minister who preached before the king, chose these words for his text 'And behold all the men of Israel came to the king, and said unto him, Why have our brethren, the men of Judah, stolen thee away, and have brought the king and his household, and all David's men with him, over Jordan? And all the men of Judah answered the men of Israel, Because the king is near of kin to us, wherefore then be ye angry for this matter? Have we eaten at all of the king's cost? or hath he given us any gift? And the men of Israel answered the men of Judah, and said, We have ten parts in the king, and we have also more right in David than ye why then did ye despise us, that our advice should not be first had in bringing back our king? And the words of the men of Judah were fiercer than the words of the men of Israel.'¹ But the king soon found, that the happiness chiefly of the allusion had tempted the preacher to employ this text and that the covenanting zealots were no wise pacified towards him Another preacher, after reproaching him to his face with his misgovernment, ordered this psalm to be sung

Why dost thou, tyrant, boast thyself thy wicked deeds to praise?

The king stood up, and called for that psalm which begins with these words,

Have mercy, Lord, on me, I pray, for men would me devour:

¹ 2 Sam chap xix. v 41, 42, 43. Clarendon, vol v. pp 23, 24.

The good-natured audience, in pity to fallen majesty, showed, for once, greater deference to the king than to the minister, and sung the psalm, which the former had called for (Whitlocke p 234).

Charles had very little reason to be pleased with his situation. He not only found himself a prisoner, very strictly guarded, all his friends were kept at a distance, and no intercourse, either by letters or conversation, was allowed him with any one on whom he could depend, or who was suspected of any attachment towards him. The Scottish generals would enter into no confidence with him, and still treated him with distant ceremony and feigned respect. And every proposal, which they made him, tended farther to his abasement and to his ruin (Clarendon, vol v p 30).

They required him to issue orders to Oxford, and all his other garrisons, commanding their surrender to the parliament and the king, sensible that their resistance was to very little purpose, willingly complied. The terms given to most of them were honourable, and Fairfax, as far as it lay in his power, was very exact in observing them. Far from allowing violence, he would not even permit insults or triumphs over the unfortunate royalists, and by his generous humanity, so cruel a civil war was ended, in appearance very calmly, between the parties.

Ormond having received like orders, delivered Dublin, and other forts, into the hands of the parliamentary officers. Montrose also, after having experienced still more variety of good and bad fortune, threw down his arms, and retired out of the kingdom.

The Marquess of Worcester, a man past eighty-four, was the last in England that submitted to the authority of the parliament. He defended Raglan castle to extremity, and opened not its gates till the middle of August. Four years, a few days excepted, were now elapsed, since the king first erected his standard at Nottingham (Rush vol vi. p 293). So long had the British nations, by civil and religious quarrels, been occupied in shedding their own blood, and laying waste their native country.

The parliament and the Scots laid their proposals before the king. They were such as a captive, entirely at mercy, could expect from the most inexorable victor: yet were they little wiser than what were insisted on before the battle of Naseby. The power of the sword, instead of ten, which the king now offered, was demanded for twenty years, together with a right to levy whatever money the parliament should think proper for the support of their armies. The other conditions were, in the main, the same with those which had formerly been offered to the king (Rush vol vi p 309).

Charles said, that proposals, which introduced such important innovations in the constitution, demanded time for deliberation: the commissioners replied, that he must give his answer in ten days (Rush vol vii). He desired to reason about the meaning and import of some terms: they informed him, that they had no power of debate; and peremptorily required his consent or refusal. He requested a personal treaty with the parliament: they threatened, that, if he delayed compliance, the parliament would, by their own authority, settle the nation.

What the parliament was most intent upon was, not their treaty with the king, to whom they paid little regard, but that with the Scots. Two important points remained to be settled with that nation: their delivery of the king, and the estimation of their arrears.

The Scots might pretend that, as Charles was king of Scotland as well as of England, they were entitled to an equal vote in the disposal of his person, and that in such a case, where the titles were equal and the subject indivisible, the preference was due to the present possessor. The English maintained that the king, being in England, was comprehended within the jurisdiction of that kingdom, and could not be disposed of by any foreign nation. A delicate question this, and what surely could not be decided by precedent, since such a situation is not anywhere to be found in history (Rush vol vii p 339).

As the Scots concurred with the English in imposing such severe conditions on the king, that, notwithstanding his unfortunate situation, he still refused to accept of them, it is certain that they did not desire his freedom, nor could they ever intend to join lenity and rigour together in so inconsistent a manner. Before the settlement of terms the administration must be possessed entirely by the parliaments of both kingdoms, and how incompatible that scheme with the liberty of the king is easily imagined. To carry him a prisoner into Scotland, where few forces could be supported to guard him, was a measure so full of inconvenience and danger, that, even if the English had consented to it, it must have appeared to the Scots themselves altogether ineligible. And how could such a plan be supported in opposition to England, possessed of such numerous and victorious armies, which were at that time, at least, seemed to be, in entire union with the parliament? The only expedient, it is obvious, which the Scots could embrace, if they scrupled wholly to abandon the king, was immediately to return, fully and cordially, to their allegiance, and, uniting themselves with the royalists in both kingdoms, endeavour by force of arms to reduce the English parliament to more moderate conditions. But besides that this measure was full of extreme hazard, what was it but instantly to combine with their old enemies against their old friends, and, in a fit of romantic generosity, overturn what, with so much expense of blood and treasure, they had during the course of so many years, been so carefully erecting?

But, though all these reflections occurred to the Scottish commissioners, they resolved to prolong the dispute, and to keep the king as a pledge for those arrears which they claimed from England, and which they were not likely, in the present disposition of that nation, to obtain by any other expedient. The sum, by their account, amounted to near two millions: for they had received little regular pay since they had entered England. And though the contributions which they had levied, as well as the price of their living at free quarters, must be deducted, yet still the sum which they insisted on was very considerable. After many discussions, it was at last agreed that, in lieu of all demands, they should accept 400,000*l*, one half to be paid instantly, another in two subsequent payments (Rush vol vii p 326; Parl Hist. vol. xv p 236).

Great pains were taken by the Scots (and the English complied with

their pretended delicacy) to make this estimation and payment of arrears appear a quite different transaction from that for the delivery of the king's person. But common sense requires that they should be regarded as one and the same. The English, it is evident, had they not been previously assured of receiving the king, would never have parted with so considerable a sum, and while they weakened themselves, by the same measure have strengthened a people, with whom they must afterwards have so material an interest to discuss.

Thus the Scottish nation underwent, and still undergo (for such grievous stains are not easily wiped off), the reproach of selling their king and betraying their prince for money. In vain did they maintain * that this money was on account of former services, undoubtedly their due, that in their present situation, no other measure, without the utmost indiscretion, or even their apparent ruin, could be embraced; and that, though they delivered their king into the hands of his open enemies, they were themselves as much his open enemies as those to whom they surrendered him, and their common hatred against him had long united the two parties in strict alliance with each other. They were still answered that they made use of this scandalous expedient for obtaining their wages, and that, after taking arms without any provocation against their sovereign, who had ever loved and cherished them, they had deservedly fallen into a situation from which they could not extricate themselves without either infamy or imprudence.

The infamy of this bargain had such an influence on the Scottish parliament, that they at once voted that the king should be protected and his liberty insisted on. But the general assembly interposed, and pronounced that, as he had refused to take the covenant which was pressed on him, it became not the godly to concern themselves about his fortunes. After this declaration it behoved the parliament to retract their vote (Pail Hist vol xv. pp 243, 244).

Intelligence concerning the final resolution of the Scottish nation to surrender him was brought to the king, and he happened at that very time to be playing at chess (Burnet's Mem of the Hamiltons). Such command of temper did he possess that he continued his game without interruption, and none of the bystanders could perceive that the letter, which he perused, had brought him news of any consequence. The English commissioners who, some days after, came to take him under their custody were admitted to kiss his hands, and he received them with the same grace and cheerfulness as if they had travelled on no other errand than to pay court to him. The old Earl of Pembroke, in particular, who was one of them, he congratulated on his strength and vigour, that he was still able during such a season to perform so long a journey, in company with so many young people.

The king, being delivered over by the Scots to the English commissioners, was conducted under a guard to Holdenby in the county of Northampton. On his journey the whole country flocked to behold him, moved partly by curiosity, partly by compassion and affection. If any still retained rancour against him in his present condition, they passed in silence, while his well-wishers, more generous than prudent, accompanied his march with tears, with acclamations, and with prayers for his safety (Ludlow, Herbert). That ancient supersti-

tion, likewise, of desiring the king's touch in scrofulous distempers, seemed to acquire fresh credit among the people, from the general tenderness which began to prevail for this virtuous and unhappy monarch.

The commissioners rendered his confinement at Holdenby very rigorous, dismissing his ancient servants, debarring him from visits, and cutting off all communication with his friends or family. The parliament, though earnestly applied to by the king, refused to allow his chaplains to attend him, because they had not taken the covenant. The king refused to assist at the service, exercised according to the directory, because he had not as yet, given his consent to that mode of worship (Clarendon, vol. v p 39, Warwick, p 298). Such religious zeal prevailed on both sides¹. And such was the unhappy and distracted condition to which it had reduced king and people¹.

During the time that the king remained in the Scottish army at Newcastle, died the Earl of Essex, the discarded, but still powerful and popular general of the parliament. His death, in this conjuncture, was a public misfortune. Fully sensible of the excesses to which affairs had been carried, and of the worst consequences which were still to be apprehended, he had resolved to conciliate a peace, and to remedy, as far as possible, all those ills, to which, from mistake, rather than any bad intentions, he had himself so much contributed. The presbyterian, or the moderate party among the commons, found themselves considerably weakened by his death, and the small remains of authority which still adhered to the house of peers, were, in a manner, wholly extinguished (Clarendon, vol. v p. 43).

CHAPTER LIX.

Mutiny of the army—The king seized by Joyce—The army march against the parliament—The army subdue the parliament—The king flies to the Isle of Wight—Second civil war—Invasion from Scotland—The treaty of Newport—The civil war and invasion repressed—The king seized again by the army—The house purged—The king's trial—And execution—And character

THE dominion of the parliament was of short duration. No sooner had they subdued their sovereign, than their own servants rose against them, and tumbled them from their slippery throne. The sacred boundaries of the laws being once violated, nothing remained to confine the wild projects of zeal and ambition. And every successive revolution became a precedent for that which followed it.

In proportion as the terror of the king's power diminished, the division between independent and presbyterian became every day more apparent, and the neutrals found it, at last, requisite to seek shelter in one or the other faction. Many new writs were issued for elections, in the room of members who had died, or were disqualified by adhering to the king; yet still the presbyterians retained the

superiority among the commons and all the peers, except Lord Saye, were esteemed of that party. The independents, to whom the inferior sectaries adhered, predominated in the army and the troops of the new model were universally infected with that enthusiastic spirit. To their assistance did the independent party, among the commons, chiefly trust, in their projects for acquiring the ascendant over their antagonists.

Soon after the retreat of the Scots, the presbyterians, seeing every thing reduced to obedience, began to talk of diminishing the army. and, on pretence of easing the public burthens, they levelled a deadly blow at the opposite faction. They purposed to embark a strong detachment, under Skippon and Massey, for the service of Ireland. they openly declared their intention of making a great reduction of the remainder¹. It was even imagined, that another new model of the army was projected, in order to regain to the presbyterians that superiority which they had so imprudently lost by the former (Rush. vol. vii. p. 564).

The army had small inclination to the service of Ireland; a country barbarous, uncultivated, and laid waste by massacres and civil commotions. they had less inclination to disband, and to renounce that pay, which, having earned it through fatigues and dangers, they now purposed to enjoy, in ease and tranquillity. And most of the officers, having risen from the diegs of the people, had no other prospect, if deprived of their commission, than that of returning to languish in their native poverty and obscurity.

These motives of interest acquired additional influence, and became more dangerous to the parliament, from the religious spirit by which the army was universally actuated. Among the generality of men, educated in regular, civilized societies, the sentiments of shame, duty, honour, have considerable authority, and serve to counterbalance and direct the motives derived from private advantage. but, by the predominancy of enthusiasm among the parliamentary forces, these salutary principles lost their credit, and were regarded as mere human inventions, yea moral institutions, fitter for heathens than for christians (Rush vol. vi. p. 134.) The saint, resigned over to superior guidance, was at full liberty to gratify all his appetites, disguised under the appearance of pious zeal. And, besides the strange corruptions engendered by this spirit, it eluded and loosened all the ties of morality, and gave entire scope, and even sanction, to the selfishness and ambition which naturally adhere to the human mind.

The military confessors were farther encouraged in disobedience to superiors, by that spiritual pride to which a mistaken piety is so subject. They were not, they said, mere janizaries, mercenary troops enlisted for hire, and to be disposed of at the will of their paymasters (Rush vol. vii. p. 565.) Religion and liberty were the motives which had excited them to arms, and they had a superior right to see those blessings, which they had purchased with their blood, ensured to future generations. By the same title that the presbyterians, in contradistinction to the royalists, had appropriated to themselves the epithet

¹ 14,000 men were only intended to be kept up, 6000 horse, 6000 foot, and 2000 dragoons.

of *godly*, or the *well-affected*, (Rush vol vii p 474), the independents did now, in contradistinction to the presbyterians, assume this magnificent appellation, and arrogate to themselves all the ascendant which naturally belongs to it

Hearing of parties in the House of Commons, and being informed that the minority were friends to the army, the majority enemies the troops naturally interested themselves in that dangerous distinction, and were eager to give the superiority to their partizans. Whatever hardships they underwent, though perhaps derived from inevitable necessity, were ascribed to a settled design of oppressing them, and resented as an effect of the animosity and malice of their adversaries.

Notwithstanding the great revenue, which accrued from taxes, assessments, sequestrations, and compositions, considerable arrears were due to the army, and many of the private men, as well as officers, had near a twelvemonth's pay still owing them. The army suspected, that this deficiency was purposely contrived in order to oblige them to live at free quarters, and, by rendering them odious to the country, serve as a pretence for disbanding them. When they saw such members, as were employed in committees and civil offices, accumulate fortunes, they accused them of rapine and public plunder. And, as no plan was pointed out by the commons for the payment of arrears, the soldiers dreaded, that, after they should be disbanded or embarked for Ireland, their enemies, who predominated in the two houses, would entirely defraud them of their right, and oppress them with impunity.

On this ground or pretence did the first commotions begin in the army. A petition, addressed to Fairfax, the general, was handed about, craving an indemnity, and that ratified by the king, for any illegal actions, of which, during the course of the war, the soldiers might have been guilty, together with satisfaction in arrears, freedom from pressing, relief of widows and maimed soldiers, and pay till disbanded (Parl Hist vol xv p 342). The commons, aware of what combustible materials the army was composed, were alarmed at this intelligence. Such a combination, they knew, if not checked in its first appearance, must be attended with the most dangerous consequences, and must soon exalt the military above the civil authority. Besides summoning (Mar 30), some officers to answer for this attempt, they immediately voted, that the petition tended to introduce mutiny, to put conditions upon the parliament, and to obstruct the relief of Ireland, and they threatened to proceed against the promoters of it, as enemies to the state, and disturbers of public peace (Parl Hist vol xv. p 344). This declaration, which may be deemed violent, especially as the army had some ground for complaint, produced fatal effects. The soldiers lamented, that they were deprived of the privileges of Englishmen, that they were not allowed so much as to represent their grievances, that, while petitions from Essex and other places were openly encouraged against the army, their mouths were stopped, and that they, who were the authors of liberty to the nation, were reduced, by a faction in parliament, to the most grievous servitude.

In this disposition was the army found by Warwick, Dacres, Massey,

and other commissioners, who were sent to make them proposals for entering into the service of Ireland (Rush vol vii. p 457). Instead of enlisting, the generality objected to the terms, demanded an indemnity, were clamorous for their arrears and, though they expressed no dissatisfaction against Skippon, who was appointed commander, they discovered much stronger inclination to serve under Fairfax and Cromwell (Rush vol vii p 458). Some officers, who were of the presbyterian party, having entered into engagements for this service, could prevail on very few of the soldiers to enlist under them. And, as these officers lay all under the grievous reproach of deserting the army, and betraying the interests of their companions; the rest were farther confirmed in that confederacy, which they had secretly formed (Rush vol vii p 491, 556).

To petition and remonstrate being the most cautious method of conducting a confederacy, an application to parliament was signed by near 200 officers, in which they made their apology with a very imperious air, asserted their right of petitioning, and complained of that imputation thrown upon them by the former declaration of the lower house (Rush vol vii p 468). The private men likewise of some regiments sent a letter to Skippon, in which, together with insisting on the same topics, they lament, that designs were formed against them and many of the godly party in the kingdom, and declare, that they could not engage for Ireland, till they were satisfied in their expectations, and had their just desires granted (Rush vol vii p. 474). The army, in a word, felt their power, and resolved to be masters

The parliament too, resolved, if possible, to preserve their dominion, but being destitute of power, and not retaining much authority, it was not easy for them to employ any expedient, which could contribute to their purpose. The expedient, which they now made use of, was the worst imaginable. They (May 7) sent Skippon, Cromwell, Ireton, and Fleetwood, to the head-quarters at Saffron Waldon in Essex, and empowered them to make offers to the army, and enquire into the cause of its 'distempers'. These very generals, at least the three last, were secretly the authors of all the discontents, and failed not to foment those disorders, which they pretended to appease. By their suggestion, a measure was embraced, which, at once, brought matters to extremity, and rendered the mutiny incurable.

In opposition to the parliament at Westminster, a military parliament was formed. Together with a council of the principal officers, which was appointed after the model of the House of Peers, a more free representative of the army was composed, by the election of two private men or inferior officers, under the title of agitators, from each troop or company (Rush vol vii p 485, Clarendon, vol v p 43). By this means, both the general humour of that time was gratified, intent on plans of imaginary republics, and an easy method contrived for conducting underhand, and for propagating the sedition of the army.

This terrible court, when assembled, having first declared, that they found no 'distempers' in the army, but many 'grievances,' under which it laboured, immediately voted the offers of the parliament

unsatisfactory Eight weeks' pay alone, they said, was promised, a small part of fifty-six weeks, which they claimed as their due no visible security was given for the remainder and having been declared public enemies by the commons, they might hereafter be prosecuted as such, unless the declaration were recalled (Rush vol vii pp 397, 505, Whitlocke, p 250) Before matters came to this height, Cromwell had posted up to London, on pretence of laying before the parliament the rising discontents of the army

The parliament made one vigorous effort more, to try the force of their authority they voted that all the troops, which did not engage for Ireland, should instantly be disbanded in their quarters (Rush vol vii p 487) At the same time, the council of the army ordered a general rendezvous of all the regiments, in order to provide for their common interests And while they thus prepared themselves for opposition to the parliament, they struck a blow, which at once decided the victory in their favour

A party of 500 horse appeared (June 3) at Holdenby, conducted by one Joyce, who had once been a tailor by profession, but was now advanced to the rank of cornet, and was an active agitator in the army Without being opposed by the guard, whose affections were all on their side, Joyce came into the king's presence, armed with pistols, and told him, that he must immediately go along with him. 'Whither?' said the king 'To the army,' replied Joyce 'By what warrant?' asked the king Joyce pointed to the soldiers, whom he brought along, tall, handsome, and well accoutred 'Your warrant,' said Charles, smiling, 'is writ in fair characters, legible without spelling' (Whitlocke, p 254, Warwick, p 299) The parliamentary commissioners came into the room they asked Joyce, whether he had any orders from the parliament? he said, 'No' from the general? 'no' by what authority he came? He made the same reply as to the king 'they would write,' they said 'to the parliament to 'know their pleasure' 'You may do so,' replied Joyce, 'but in the 'mean time the king must immediately go with me' Resistance was vain The king, after protracting the time as long as he could, went into his coach, and was safely conducted to the army, who were hastening to their rendezvous at Triplo-Heath, near Cambridge. The parliament informed of this event by their commissioners, were thrown into the utmost consternation (Rush vol vii pp 514, 515, Clarendon, vol v. p 47).

Fanfax himself was no less surprised at the king's arrival That bold measure, executed by Joyce, had, never been communicated to the general The orders were entirely verbal, and nobody avowed them And while every one affected astonishment at the enterprise, Cromwell, by whose council it had been directed, arrived from London, and put an end to their deliberations

This artful and audacious conspirator had conducted himself in the parliament with such profound dissimulation, with such refined hypocrisy, that he had long deceived those, who, being themselves very dexterous practitioners in the same arts, should naturally have entertained the more suspicion against others At every intelligence of disorders in the army, he was moved to the highest pitch of grief and

of anger. He wept bitterly; he lamented the misfortunes of his country; he advised every violent measure for suppressing the mutiny, and by these precipitate counsels, at once seemed to evince his own sincerity, and inflamed those discontents, of which he intended to make advantage. He obtested heaven and earth, that his devoted attachment to the parliament had rendered him so odious in the army, that his life, while among them, was in the utmost danger, and he had very narrowly escaped a conspiracy, formed to assassinate him. But information being brought, that the most active officers and agitators were entirely his creatures, the parliamentary leaders secretly resolved, that, next day, when he should come to the house, an accusation should be entered against him, and he should be sent to the Tower (Clarendon, vol. v. p. 46). Cromwell, who in the conduct of his desperate enterprises, frequently approached to the very brink of destruction, knew how to make the requisite turn with proper dexterity and boldness, being informed of this design, he hastened to the camp, where he was received with acclamations, and was instantly invested with the supreme command, both of general and army.

Fairfax, having neither talents himself for cabal, nor penetration to discover the cabals of others, had given his entire confidence to Cromwell, who, by the best coloured pretences, and by the appearance of an open sincerity and a scrupulous conscience, imposed on the easy nature of this brave and virtuous man. The council of officers and the agitators were moved altogether by Cromwell's direction, and conveyed his will to the whole army. By his profound and artful conduct, he had now attained a situation, where he could cover his enterprises from public view, and seeming either to obey the commands of his superior officer, or yield to the movements of the soldiers, could secretly pave the way for his future greatness. While the disorders of the army were yet in their infancy, he kept at a distance, lest his counterfeit aversion might throw a damp upon them, or his secret encouragement beget suspicion in the parliament. As soon as they came to maturity, he openly joined the troops, and in the critical moment, struck that important blow of seizing the king's person, and depriving the parliament of any resource of an accommodation with him. Though one vizor fell off, another still remained, to cover his natural countenance. Where delay was requisite, he could employ the most indefatigable patience; where celerity was necessary, he flew to a decision. And by thus uniting in his person the most opposite talents, he was enabled to combine the most contrary interests in a subserviency to his secret purposes.

The parliament, though at present defenceless, was possessed of many resources, and time might easily enable them to resist that violence with which they were threatened. Without further deliberation, therefore, Cromwell advanced the army upon them, and arrived in a few days at St. Albans.

Nothing could be more popular than this hostility which the army commenced against the parliament. As much as that assembly was once the idol of the nation, as much was it now become the object of general hatred and aversion.

The self-denying ordinance had no longer been put in execution,

than till Essex, Manchester, Waller, and the other officers of that party had resigned their commission. Immediately after it was laid aside by tacit consent, and the members, sharing all offices of power and profit among them, proceeded with impunity in exercising acts of oppression on the helpless nation. Though the necessity of their situation might serve as an apology for many of their measures, the people, not accustomed to such a species of government, were not disposed to make the requisite allowances.

A small supply of 100,000*l* a year could never be obtained by former kings from the jealous humour of parliaments, and the English, of all nations in Europe, were the least accustomed to taxes. But this parliament, from the commencement of the war, according to some computations, had levied in five years about forty millions,¹ yet were loaded with debts and incumbrances which, during that age, were regarded as prodigious. If these computations should be thought much exaggerated, as they probably are,² the taxes and impositions were certainly far higher than in any former state of the English government, and such popular exaggerations are, at least, a proof of popular discontents.

But the disposal of this money was no less the object of general complaint against the parliament than the levying of it. The sum of 300,000*l* they openly took, it is affirmed (Walker's Hist. of Independ. pp. 3, 166), and divided among their own members. The committees to whom the management of the different branches of revenue was entrusted, never brought in their accounts, and had unlimited power of secreting whatever sums they pleased from the public treasure (Walker's Hist. of Independ. p. 8). These branches were needlessly multiplied in order to render the revenue more intricate, to share the advantages among greater numbers, and to conceal the frauds of which they were universally suspected (Walker's Hist. of Independ. p. 8).

The method of keeping accounts practised in the exchequer was confessedly the exactest, the most ancient, the best known, and the least liable to fraud. The exchequer was, for that reason, abolished, and the revenue put under the management of a committee, who were subject to no control (Walker's Hist. of Independ. p. 8).

The excise was an odious tax, formerly unknown to the nation, and was now extended over provisions and the common necessaries of life. Near one half of the goods and chattels, and at least one half of the lands, rents, and revenues of the kingdom had been sequestered. To great numbers of royalists all redress from these sequestrations was refused, to the rest the remedy could be obtained only by paying large compositions and subscribing the covenant, which they abhorred. Besides pitying the ruin and desolation of so many ancient and honourable families, indifferent spectators could not but blame the hardship of punishing with such severity actions, which the law in its

¹ Clement Walker's history of the two Juntos, prefixed to his History of Independency, p. 8. This is an author of spirit and ingenuity, and being a zealous parliamentarian, his authority is very considerable, notwithstanding the air of satire which prevails in his writings. This computation, however, seems much too large; especially as the sequestrations, during the time of war, could not be so considerable as afterwards.

² Yet the same sum precisely is assigned in another book, called Royal Treasury of England, p. 297.

usual and most undisputed interpretation strictly required of every subject

The severities, too, exercised against the episcopal clergy, naturally affected the royalists, and even all men of candour in a sensible manner. By the most moderate computation,¹ it appears that above one half of the established clergy had been turned out to beggary and want, for no other crime than their adhering to the civil and religious principles in which they had been educated, and for their attachment to those laws under whose countenance they had at first embraced that profession. To renounce episcopacy and the liturgy, and to subscribe the covenant were the only terms which could save them from so rigorous a fate, and if the least mark of malignancy, as it was called, or affection to the king, who so entirely loved them, had ever escaped their lips, even this hard choice was not permitted. The sacred character which gives the priesthood such authority over mankind, becoming more venerable from the sufferings endured for the sake of principle, by these distressed royalists, aggravated the general indignation against their persecutors.

But what excited the most universal complaint was the unlimited tyranny and despotic rule of the country committees. During the war, the discretionary power of these courts was excused from the plea of necessity, but the nation was reduced to despair when it saw neither end put to their duration, nor bounds to their authority. They could sequester, fine, imprison, and corporally punish without law or remedy. They interposed in questions of private property, under colour of malignancy, they exercised vengeance against their private enemies. To the obnoxious, and, sometimes to the innocent, they sold their protection, and instead of one star-chamber, which had been abolished, a great number were anew elected, fortified with better pretences, and armed with more unlimited authority.²

Could anything have increased the indignation against that slavery in which the nation, from the too eager pursuit of liberty, had fallen, it must have been the reflection on the pretences by which the people had so long been deluded. The sanctified hypocrites, who called their oppressions the spoiling of the Egyptians, and their rigid severity the dominion of the Elect, interlarded all their iniquities with long and fervent prayers, saved themselves from blushing by their pious grimaces, and exercised in the name of the Lord, all their cruelty on men. An undisguised violence could be forgiven but such a mockery of the understanding, such an abuse of religion, were, with men of penetration, objects of peculiar resentment.

The parliament, conscious of their decay in popularity, seeing a formidable armed force advance upon them, were reduced to despair, and found all their resources much inferior to the present necessity.

¹ John Walker's attempt towards recovering an Account of the Numbers and Sufferings of the Clergy. The parliament pretended to leave the sequestered clergy a fifth of their revenue, but this author makes it sufficiently appear, that this provision, small as it is, was never regularly paid the ejected clergy.

² Walker's Hist of Independ., p. 5. Hollis gives the same representation, as Walker, of the plundering, oppressions, and tyranny of the parliament only, instead of laying the fault on both parties, as Walker does, he ascribes it solely to the independent faction. The Presbyterians, indeed, being commonly denominated the *modern* party, would probably be more inoffensive (Rush vol vii p. 598, Parl Hist vol xv p. 230).

London still retained a strong attachment to presbyterianism, and its militia which was numerous, and had acquired reputation in wars, had, by a late ordinance, been put into hands, in whom the parliament could entirely confide. This militia was now called out, and ordered to guard the lines, which had been drawn round the city, in order to secure it against the king. A body of horse was ordered to be instantly levied. Many officers, who had been cashiered by the new model of the army, offered their services to the parliament. An army of 5000 men lay in the north under the command of General Pointz, who was of the presbyterian faction, but these were too distant to be employed in so urgent a necessity. The forces destined for Ireland, were quartered in the west, and, though deemed faithful to the parliament, they also lay at a distance. Many inland garrisons were commanded by officers of the same party, but their troops being so much dispersed, could, at present, be of no manner of service. The Scots were faithful friends and zealous for presbytery and the covenant, but a long time was required, ere they could collect their forces, and march to the assistance of the parliament.

In this situation it was thought more prudent to submit, and by compliance to stop the fury of the enraged army. The declaration, by which (June 8) the military petitioners had been voted public enemies, was recalled and erased from the journal-book (Rush vol vii. pp 503, 547, Clarendon, vol v p 45). This was the first symptom, which the parliament gave of submission, and the army, hoping, by terror alone, to effect all their purposes, stopped at St. Albans, and entered into negotiation with their masters.

Here commenced the encroachments of the military upon the civil authority. The army, in their usurpations on the parliament, copied exactly the model, which the parliament itself had set them, in their recent usurpations on the crown.

Every day, they rose in their demands. If one claim was granted, they had another ready, still more enormous and exorbitant, and were determined never to be satisfied. At first, they pretended only to petition for what concerned themselves as soldiers: next, they must have a vindication of their character: then, it was necessary, that their enemies be punished (Rush vol vii p 509). At last, they claimed a right of modelling the whole government, and settling the nation (Rush vol vii pp 567, 633, vol viii p 731).

They preserved, in words, all deference and respect to the parliament, but, in reality, insulted them and tyrannised over them. That assembly, they pretended not to accuse: it was only evil counsellors, who seduced and betrayed it.

They proceeded (June 16) so far as to name eleven members, whom, in general terms, they charged with high treason, as enemies to the army, and evil counsellors to the parliament. Their names were Hollis, Sir Philip Stapleton, Sir William Lewis, Sir John Clotworthy, Sir William Waller, Sir John Maynard, Massey, Glyn, Long, Harley, and Nicholas (Rush vol vii p 570). These were the very leaders of the presbyterian party.

They insisted, that these members should immediately be sequestered from parliament, and be thrown into prison (Rush vol vii.

p 572). The commons replied, that they could not, upon a general charge, proceed so far (Rush vol vii. p 592) The army observed to them, that the cases of Stafford and Laud were direct precedents for that purpose (Rush vol vii p 594, Whitlocke, p 259) At last, the eleven members themselves, not to give occasion for discord, begged leave to retire from the house, and the army, for the present, seemed satisfied with this mark of submission (Rush vol vii p 593)

Pretending that the parliament intended to levy war upon them, and to involve the nation again in blood and confusion, they required, that all new levies should be stopped The parliament complied with this demand (Rush vol vii pp 572, 574)

There being no signs of resistance, the army, in order to save appearances, removed, at the desire of the parliament, to a greater distance from London, and fixed their head-quarters at Reading They carried the king along with them in all their marches

That prince now found himself in a better situation than at Holdenby, and had attained some greater degree of freedom, as well as of consideration with both parties

All his friends had access to his presence his correspondence with the queen was not interrupted his chaplains were restored to him, and he was allowed the use of the liturgy his children were once allowed to visit him, and they passed a few days at Caversham, where he then resided (Clarendon, vol i pp 51, 52, 57) He had not seen the Duke of Gloucester, his youngest son, and the Princess Elizabeth, since he left London, at the commencement of the civil disorders,¹ nor the Duke of York, since he went to the Scottish army before Newark No private man, unacquainted with the pleasures of a court, and the tumult of a camp, more passionately loved his family, than did this good prince, and such an instance of indulgence in the army was extremely grateful to him Cromwell, who was witness to the meeting of the royal family, confessed, that he never had been present at so tender a scene, and he extremely applauded the benignity which displayed itself in the whole disposition and behaviour of Charles

That artful politician, as well as the leaders of all parties, paid court to the king, and fortune, notwithstanding all his calamities, seemed again to smile upon him The parliament, afraid of his forming some accommodation with the army, addressed him in a more respectful style than formerly, and invited him to reside at Richmond, and contribute his assistance to the settlement of the nation The chief officers treated him with regard, and spake on all occasions of restoring him to his just powers and prerogatives In the public declarations of the army, the settlement of his revenue and authority was insisted on (Rush vol vii. p 590) The royalists, everywhere, entertained hopes of the restoration of monarchy, and the favour which they universally bore to the army, contributed very much to discourage the parliament, and to forward their submission

The king began to feel of what consequence he was. The more the

¹ When the king applied to have his children, the parliament always told him, that they could take as much care at London, both of their bodies and souls, as could be done at Oxford (Parl Hist vol xiii p 127)

national confusions increased, the more was he confident that all parties would at length have recourse to his lawful authority as the only remedy for the public disorders. 'You cannot be without me,' said he, on several occasions, 'You cannot settle the nation but by my assistance.' A people without government and without liberty, a parliament without authority, an army without a legal master. Distractions everywhere, terrors, oppressions, convulsions: from this scene of confusion, which could not long continue, all men, he hoped, would be brought to reflect on that ancient government, under which they and their ancestors had so long enjoyed happiness and tranquillity.

Though Charles kept his ears open to all proposals, and expected to hold the balance between the opposite parties, he entertained more hopes of accommodation with the army. He had experienced the extreme rigour of the parliament. They pretended totally to annihilate his authority: they had confined his person. In both these particulars the army showed more indulgence.¹ He had a free intercourse with his friends. And in the proposals which the council of officers sent for the settlement of the nation they insisted neither on the abolition of episcopacy nor on the punishment of the royalists, the two points to which the king had the most extreme reluctance, and they demanded that a period should be put to the present parliament, the event for which he most ardently longed.

His conjunction, too, seemed more natural with the generals than with that usurping assembly, who had so long assumed the entire sovereignty of the state, and who had declared their resolution still to continue masters. By gratifying a few persons with titles and preferments he might draw over, he hoped, the whole military power, and, in an instant, reinstate himself in his civil authority. To Ireton he offered the lieutenancy of Ireland to Cromwell, the garter, the title of Earl of Essex, and the command of the army. Negotiations to this purpose were secretly conducted. Cromwell pretended to hearken to them, and was well pleased to keep the door open for an accommodation, if the course of events should at any time render it necessary. And the king, who had no suspicion that one born a private gentleman could entertain the daring ambition of seizing a sceptre transmitted through a long line of monarchs, indulged hopes that he would at last embrace a measure which, by all the motives of duty, interest, and safety, seemed to be recommended to him.

While Cromwell allured the king by these expectations, he still continued his scheme of reducing the parliament to subjection, and depriving them of all means of resistance. To gratify the army, the parliament invested Fairfax with the title of general-in-chief of all the forces in England and Ireland, and entrusted the whole military authority to a person who, though well inclined to their service, was no longer at his own disposal.

They voted that the troops which, in obedience to them, had enlisted for Ireland and deserted the rebellious army, should be disbanded, or, in other words, be punished for their fidelity. The forces in the north, under Pontz, had already mutinied against their general, and had

¹ Warwick, p. 303, *Parl. Hist.* vol. xvi. p. 40. Clarendon, vol. v. p. 50.

entered into an association with that body of the army which was so successfully employed in exalting the military above the civil authority (Rush vol vii p 610)

That no resource might remain to the parliament, it was demanded that the militia of London should be changed, the presbyterian commissioners displaced, and the command restored to those who, during the course of the war, had constantly exercised it. The parliament even complied with so violent a demand, and passed a vote in obedience to the army (Rush vol vii pp 629, 632)

By this unlimited patience they purposed to temporise under their present difficulties, and they hoped to find a more favourable opportunity for recovering their authority and influence. But the impatience of the city lost them all the advantage of their cautious measures. A petition against the alteration of the militia was carried (July 20) to Westminster, attended by the apprentices and a seditious multitude, who besieged the door of the House of Commons, and, by their clamour, noise, and violence, obliged them to reverse that vote which they had passed so lately. When gratified in this pretension, they immediately dispersed and left the parliament at liberty.¹

No sooner was intelligence of this tumult conveyed to Reading than the army was put in motion. The two houses being under restraint, they were resolved, they said, to vindicate against the seditious citizens the invaded privileges of parliament and restore that assembly to its just freedom of debate and counsel. In their way to London they were drawn up on Hounslow Heath, a formidable body, twenty thousand strong, and determined, without regard to laws or liberty, to pursue whatever measures their generals should dictate to them. Here the most favourable event happened to quicken and encourage their advance. The speakers of the two houses, Manchester and Lenthal, attended by eight peers and about sixty commoners, having secretly retired from the city, presented themselves with their maces and all the ensigns of their dignity, and, complaining of the violence put upon them, applied to the army for defence and protection. They were received with shouts and acclamation. Respect was paid to them as to the parliament of England, and the army, being provided with so plausible a pretence, which in all public transactions is of great consequence, advanced to chastise the rebellious city and to reinstate the violated parliament (Rush, vol viii p 750, Clarendon, vol v p 63)

Neither Lenthal nor Manchester were esteemed independents, and such a step in them was unexpected. But they probably foresaw that the army must in the end prevail, and they were willing to pay court in time to that authority which began to predominate in the nation.

The parliament, forced from their temporising measures and obliged to resign at once, or combat for their liberty and power, prepared themselves with vigour for defence, and determined to resist the violence of the army. The two houses immediately chose new speakers, Lord Hunsden and Henry Pelham. They renewed their former orders for enlisting troops, they appointed Massey to be commander, they ordered the trained bands to man the lines, and the

¹ Rush vol vi pp 641, 643, Clarendon, vol i p 61, Whitlocke, p 269, Walker, p 38.

whole city was in a ferment, and resounded with military preparations (Rush. vol. vii p 646).

When any intelligence arrived that the army stopped or retreated, the shout of 'One and all,' ran with alacrity from street to street among the citizens, when news came of their advancing, the cry of 'Treat and capitulate,' was no less loud and vehement (Whitlocke, p 265) The terror of an universal pillage, and even massacre, had seized the timid inhabitants.

As the army approached, Ramsborow, being sent by the general over the river, presented himself before Southwark, and was gladly received by some soldiers, who were quartered there for its defence, and who were resolved not to separate their interests from those of the army. It behoved, then, the parliament to submit. The army marched in triumph through the city, but preserved the greatest order, decency, and appearance of humility. They conducted to Westminster the two speakers, who took their seats as if nothing had happened. The eleven impeached members, being accused as authors of the tumult, were expelled, and most of them retired beyond sea. seven peers were impeached, the mayor, one sheriff, and three aldermen sent to the Tower, several citizens and officers of the militia committed to prison; every deed of the parliament annulled, from the day of the tumult till the return of the speakers, the lines about the city levelled, the militia restored to the independents, regiments quartered in Whitehall and the mews. And, the parliament being reduced to a regular formed servitude, a day was appointed of solemn thanksgiving for the restoration of its liberty (Rush vol viii. pp 797, 798, &c).

The independent party among the commons exulted in their victory. The whole authority of the nation, they imagined, was now lodged in their hands, and they had a near prospect of moulding the government into that imaginary republic, which had long been the object of their wishes. They had secretly concurred in all encroachments of the military upon the civil power, and they expected, by the terror of the sword, to impose a more perfect system of liberty on the reluctant nation. All parties, the king, the church, the parliament, the presbyterians, had been guilty of errors since the commencement of these disorders; but it must be confessed, that this delusion of the independents and republicans was, of all others, the most contrary to common sense, and the established maxims of policy. Yet were the leaders of that party, Vane, Fiennes, St John, Martin, the men in England the most celebrated for profound thought and deep contrivance, and by their well-coloured pretences and professions, they had over-reached the whole nation. To deceive such men would argue a superlative capacity in Cromwell; were it not that, besides the great difference there is between dark, crooked councils and true wisdom, an exorbitant passion for rule and authority will make the most prudent overlook the dangerous consequences of such measures as seem to tend, in any degree, to their own advancement.

The leaders of the army, having established their dominion over the parliament and city, ventured to bring the king to Hampton Court, and he lived, for some time, in that palace, with an appearance of dignity and freedom. Such equability of temper did he possess, that,

during all the variety of fortune which he underwent, no difference was perceived in his countenance or behaviour, and though a prisoner, in the hands of his most inveterate enemies, he supported, towards all who approached him, the majesty of a monarch, and that neither with less nor greater state than he had been accustomed to maintain. His manner, which was not in itself popular nor gracious, now appeared amiable, from its great meekness and equality.

The parliament renewed their applications to him, and presented him with the same conditions which they had offered at Newcastle. The king declined accepting them, and desired the parliament to take the proposals of the army into consideration, and make them the foundation of the public settlement (Rush vol viii p 810). He still entertained hopes that his negotiations with the generals would be crowned with success, though everything, in that particular, daily bore a worse aspect. Most historians have thought that Cromwell never was sincere in his professions, and that, having, by force, rendered himself master of the king's person, and, by fair pretences, acquired the countenances of the royalists, he had employed these advantages to the enslaving of the parliament and afterwards thought of nothing but the establishment of his own unlimited authority, with which he esteemed the restoration and even life of the king, altogether incompatible. This opinion, so much warranted by the boundless ambition and profound dissimulation of his character, meets with ready belief, though it is more agreeable to the narrowness of human views, and the darkness of futurity, to suppose, that this daring usurper was guided by events, and did not, as yet, foresee, with any assurance, that unparalleled greatness, which he afterwards attained. Many writers of that age have asserted,¹ that he really intended to make a private

¹ Salmonet, Ludlow, Hollis, &c., all these, especially the last, being the declared inveterate enemies of Cromwell, are the more to be credited, when they advance any fact, which may serve to apologize for his violent and criminal conduct. There prevails a story, that Cromwell intercepted a letter written to the queen, where the king said, that he would first raise and then destroy Cromwell. But, besides that this conduct seems to contradict the character of the king, it is, on other accounts, totally unworthy of credit. It is first told by Roger Coke, a very passionate and foolish historian, who wrote too so late as King William's reign, and even he mentions it only as a mere rumour or hearsay, without any known foundation. In the memoirs of Lord Broghill, we meet with another story of an intercepted letter which deserves some more attention, and agrees very well with the narration here given. It is thus related by Mr. Maurice, chaplain to Roger, Earl of Orrery: 'Lord Orrery, in the time of his greatness, with Cromwell, just after he had so seasonably relieved him of his great distress at Clonmel, riding out of Youghal one day with him and Ireton, they fell into discourse about the king's death. Cromwell thereupon said more than once, that if the king had followed his own judgment, and had been attended by none but trusty servants, he had fooled them all, and that once they had a mind to have closed with him, but, upon something that happened, fell off from that design. Orrery finding them in good humour, and being alone with them, asked, if he might presume to desire to know, why they would once have closed with his majesty, and why they did not? Cromwell very freely told him, he would satisfy him in both his queries. The reason (says he) why we would have closed with the king was this. We found that the Scotch and Presbyterians began to be more powerful than we, and were likely to agree with him, and leave us in the lurch. For this reason we thought it best to prevent them, by offering first to come in upon reasonable conditions but whilst our thoughts were taken up with this subject, there came a letter to us from one of our spies, who was of the king's bed-chamber, acquainting us that our final doom was decreed that very day, that he could not possibly learn what it was, but we might discover it, if we could but intercept a letter sent from the king to the queen, wherein he informed her of his resolution, that this letter was sewn up in the skirt of a saddle, and the bearer of it would come with the saddle upon his head, about ten of the clock, that night to the Blue Boar in Holborn, where he was to take horse for Dover. The messenger knew nothing of the letter in the saddle, though some in Dover did. We were at Windsor (said Cromwell) when we received this

bargain with the king, a measure, which carried the most plausible appearance both for his safety and advancement but that he found insuperable difficulties in reconciling to it the wild humours of the army. The horror and antipathy of these fanatics had, for many years, been artfully fomented against Charles, and though their principles were, on all occasions, easily warped and eluded by private interest, yet was some colouring requisite, and a flat contradiction to all former professions and tenets could not safely be proposed to them. It is certain, at least, that Cromwell made use of this reason, why he admitted rarely of visits from the king's friends, and showed less favour than formerly to the royal cause. The agitators, he said, had rendered him odious to the army, and had represented him as a traitor, who, for the sake of private interest, was ready to betray the cause of God to the great enemy of piety and religion. Desperate projects too, he asserted to be secretly formed, for the murder of the king, and he pretended much to dread lest all his authority, and that of the commanding officers, would not be able to restrain these enthusiasts from their bloody purposes (Clarendon, vol. v. p. 76).

Intelligence being daily brought to the king of menaces thrown out by the agitators, he began to think of retreating from Hampton Court, and of putting himself in some place of safety. The guards were doubled upon him: the promiscuous concourse of people restrained; a more jealous care exerted in attending his person: all under colour of protecting him from danger, but really with a view of making him uneasy in his present situation. These artifices soon produced the intended effect. Charles, who was naturally apt to be swayed by counsel, and who had not then access to any good counsel, took suddenly a resolution of withdrawing himself, though without any concerted, at least, any rational scheme, for the future disposal of his person. Attended only by Sir John Berkeley, Ashburnham, and Leg, he (Nov. 11) privately left Hampton Court, and his escape was not discovered till near an hour after, when those who entered his chamber, found on the table some letters directed to the parliament, to the general, and to the officer, who had attended him (Rush. vol. viii. p. 871). All night, he travelled through the forest, and arrived next day at Titchfield, a seat of the Earl of Southampton's, where the Countess

letter, and immediately upon the receipt of it, Ireton and I resolved to take one trusty fellow with us, and to go in troopers' habits to that inn. We did so, and leaving our man at the gate of the inn (which had a wicket only open to let persons in and out), to watch and give us notice when any man came in with a saddle, we went into a drinking stall. We there continued drinking cans of beer, till about ten of the clock, when our sentinel at the gate gave us notice that the man with the saddle was come. We rose up presently, and just as the man was leading out his horse saddled, we came up to him with drawn swords, and told him we were to search all that went in and out there, but as he looked like an honest man, we would only search his saddle, and so dismiss him. The saddle was ungirt, we carried it into the stall, where we had been drinking, and ripping open one of the skirts, we there found the letter we wanted. Having thus got it into our hands, we delivered the man (whom we had left with our sentinel) his saddle, told him he was an honest fellow, and bid him go about his business, which he did, pursuing his journey without more ado, and ignorant of the harm he had suffered. We found in the letter, that his majesty acquainted the queen, that he was courted by both factions, the Scotch Presbyterians and the army, and that those which bade the farthest for him should have him: but yet he thought he should close with the Scots sooner than with the other. Upon this we returned to Windsor, and finding that we were not like to have good terms from the king, we from that time vowed his destruction. This relation sitting well enough with other passages and circumstances at this time, I have inserted to gratify the reader's curiosity (Carte's Ormond, vol. ii. p. 12).

dowager resided, a woman of honour, to whom, the king knew, he might safely entrust his person. Before he arrived at this place, he had gone to the sea-coast, and expressed great anxiety, that a ship, which he seemed to look for, had not arrived ; and thence, Berkeley and Leg, who were not in the secret, conjectured, that his intention was to transport himself beyond sea

The king could not hope to remain long concealed at Tichfield : what measure should next be embraced, was the question. In the neighbourhood lay the Isle of Wight, of which Hammond was governor. This man was entirely dependent on Cromwell. At his recommendation he had married a daughter of the famous Hampden, who, during his lifetime, had been an intimate friend of Cromwell's, and whose memory was ever respected by him. These circumstances were very unfavourable. yet, because the governor was nephew to Dr Hammond, the king's favourite chaplain, and had acquired a good character in the army, it was thought proper to have recourse to him, in the present exigence, when no other rational expedient could be thought of. Ashburnham and Berkeley were dispatched to the island. They had orders not to inform Hammond of the place where the king was concealed, till they had first obtained a promise from him not to deliver up his majesty, though the parliament and army should require him ; but to restore him to his liberty, if he could not protect him. This promise, it is evident, would have been a very slender security : yet even without exacting it, Ashburnham, imprudently, if not treacherously, brought Hammond to Tichfield, and the king was obliged to put himself in his hands, and to attend him to Carisbrooke Castle in the Isle of Wight, where, though received with great demonstrations of respect and duty, he was in reality a prisoner.

Lord Clarendon (pp 79, 80, &c) is positive, that the king, when he fled from Hampton Court, had no intention of going to this island, and indeed all the circumstances of that historian's narrative, which we have here followed, strongly favour this opinion. But there remains a letter of Charles's to the Earl of Lanark, Secretary of Scotland, in which he plainly intimates, that that measure was voluntarily embraced ; and even insinuates, that, if he had thought proper, he might have been in Jersey or any other place of safety¹. Perhaps, he still confided in the promises of the generals, and flattered himself, that, if he were removed from the fury of the agitators, by which his life was immediately threatened, they would execute what they had so often promised in his favour.

Whatever may be the truth in this matter ; for it is impossible fully

¹ These are the words 'Lanark, I wonder to hear (if that be true) that some of my friends say, that my going to Jersey would have much more furthered my personal treaty, than my coming hither, for which, as I see no colour of reason, so I had not been hurt, if I had thought that fancy true, or had not been secured of a personal treaty, of which I neither do, nor I hope will, repent for I am daily more and more satisfied with the governor, and find these islanders very good, peaceable, and quiet people. This encouragement I have thought not unfit for you to receive, hoping at least it may do good upon others, though needless to you' (Burnet's Mem. of Hamilton, p 326, Rushworth, part iv vol ii p 941). All the writers of that age, except Clarendon, represent the king's going to the Isle of Wight as voluntary and intended. Perhaps the king thought it little for his credit, to be trepanned into this measure, and was more willing to take it on himself as entirely voluntary. Perhaps, he thought it would encourage his friends, if they thought him in a situation which was not disagreeable to him.

to ascertain the truth; Charles never took a weaker step, nor one more agreeable to Cromwell and all his enemies. He was now lodged in a place, removed from his partizans, at the disposal of the army, whence it would be very difficult to deliver him, either by force or artifice. And though it was always in the power of Cromwell, whenever he pleased, to have sent him thither, yet such a measure, without the king's consent, would have been very invidious, if not attended with some danger. That the king should voluntarily throw himself into the snare, and thereby gratify his implacable persecutors, was to them an incident peculiarly fortunate, and proved in the issue very fatal to him.

Cromwell, being now entirely master of the parliament, and free from all anxiety with regard to the custody of the king's person, applied himself seriously to quell those disorders in the army which he himself had so artfully raised, and so successfully employed against both king and parliament. In order to engage the troops into a rebellion against their masters, he had encouraged an arrogant spirit among the inferior officers and private men, and the camp, in many respects, carried more the appearance of civil liberty than of military obedience. The troops themselves were formed into a kind of republic, and the plans of imaginary republics for the settlement of the state were every day the topics of conversation among these armed legislators. Royalty it was agreed to abolish, nobility must be set aside. Even all ranks of men be levelled, and an universal equality of property, as well as of power, be introduced among the citizens. The saints, they said, were the salt of the earth, an entire parity had place among the elect. And by the same rule that the apostles were exalted from the most ignoble professions, the meanest sentinel, if enlightened by the Spirit, was entitled to equal regard with the greatest commander. In order to wean the soldiers from these licentious maxims, Cromwell had issued orders for discontinuing the meetings of the agitators, and he pretended to pay entire obedience to the parliament, whom, being now fully reduced to subjection, he purposed to make, for the future, the instruments of his authority. But the 'Levellers,' for so that party in the army was called, having experienced the sweets of dominion, would not so easily be deprived of it. They secretly continued their meetings, they asserted that their officers, as much as any part of the Church or State, needed reformation. Several regiments joined in seditious remonstrances and petitions (Rush vol viii pp 845, 859). Separate rendezvous were concerted, and everything tended to anarchy and confusion. But this distemper was soon cured by the rough, but dexterous hand of Cromwell. He chose the opportunity of a review, that he might display the greater boldness, and spread the terror the wider. He seized the ringleaders before their companions; held in the field a council of war, shot one mutineer instantly, and struck such dread into the rest, that they presently threw down the symbols of sedition which they had displayed, and thenceforth returned to their wonted discipline and obedience (Rush vol viii p 875; Clarendon, vol v p 87).

Cromwell had great deference for the counsels of Ireton, a man who having grafted the soldier on the lawyer, the statesman on the saint.

had adopted such principles as were fitted to introduce the severest tyranny, while they seemed to encourage the most unbounded licence in human society. Fierce in his nature, though probably sincere in his intentions, he purposed by arbitrary power to establish liberty, and, in prosecution of his imagined religious purposes he thought himself dispensed from all the ordinary rules of morality by which inferior mortals must allow themselves to be governed. From his suggestion Cromwell secretly called at Windsor a council of the chief officers, in order to deliberate concerning the settlement of the nation, and the future disposal of the king's person (Clarendon, vol v p 92). In this conference, which commenced with devout prayers, poured forth by Cromwell himself, and other inspired persons (for the officers of this army received inspiration with their commission), was first opened the daring and unheard-of counsel, of bringing the king to justice, and of punishing by a judicial sentence, their sovereign for his pretended tyranny and mal-administration. While Charles lived, even though restrained to the closest prison, conspiracies, they knew, and insurrections would never be wanting in favour of a prince, who was so extremely revered and beloved by his own party, and whom the nation in general began to regard with great affection and compassion. To murder him privately was exposed to the imputation of injustice and cruelty, aggravated by the baseness of such a crime, and every odious epithet of 'Traitor' and 'Assassin' would, by the general voice of mankind, be undisputably ascribed to the actors in such a villany. Some unexpected procedure must be attempted which would astonish the world by its novelty, would bear the semblance of justice, and would cover its barbarity by the audaciousness of the enterprise. Striking in with the fanatical notions of the entire equality of mankind, it would ensure the devoted obedience of the army, and serve as a general engagement against the royal family, whom, by their open and united deed they would so heinously affront and injure.¹

This measure, therefore, being secretly resolved on, it was requisite, by degrees, to make the parliament adopt it, and to conduct them from violence to violence, till this last act of atrocious iniquity should seem in a manner wholly inevitable. The king, in order to remove those fears and jealousies, which were perpetually pleaded as reasons for every invasion of the constitution, had offered by a message sent from Carisbrooke Castle, to resign, during his own life, the power of the militia and the nomination to all the great offices, provided that after his demise these prerogatives should revert to the crown (Rush. vol viii p. 880). But the parliament acted entirely as victors and enemies, and in all their transactions with him paid no longer any regard to equity or reason. At the instigation of the independents and army, they neglected this offer, and framed four proposals, which they sent him as preliminaries, and before they would deign to treat, they demanded his positive assent to all of them. By one he was required

¹ The following was a favourite text among the enthusiasts of that age — 'Let the high praises of God be in the mouths of his saints, and a twofold sword in their hands, to execute vengeance upon the heathen and punishment upon the people, to bind their kings with chains, and their nobles with fetters of iron, to execute upon them the judgments written: this honour have all his saints' (Psalm clix. ver. 6, 7, 8, 9). Hugh Peters, the mad chaplain of Cromwell, preached frequently upon this text.

to invest the parliament with the military power for twenty years, together with an authority to levy whatever money should be necessary for exercising it. And even after the twenty years should be elapsed, they reserved a right of resuming the same authority whenever they should declare the safety of the kingdom to require it. By the second he was to recall all his proclamations and declarations against the parliament, and acknowledge that assembly to have taken up arms in their just and necessary defence. By the third he was to annul all the acts, and void all the patents of peerage which had passed the great seal, since it had been carried from London by lord-keeper Littleton, and at the same time renounce for the future the power of making peers without consent of parliament. By the fourth he gave the two houses power to adjourn as they thought proper, a demand seemingly of no great importance, but contrived by the independents that they might be able to remove the parliament to places where it should remain in perpetual subjection to the army (Clarendon, vol. v p 88).

The king regarded the pretension as unusual and exorbitant that he should make such concessions while not secure of any settlement, and should blindly trust his enemies for the conditions which they were afterwards to grant him. He required, therefore, a personal treaty with the parliament, and desired that all the terms on both sides should be adjusted before any concession on either side should be insisted on. The republican party in the house pretended to take fire at this answer, and openly inveighed, in violent terms, against the person and government of the king, whose name, hitherto, had commonly, in all debates, been mentioned with some degree of reverence. Ireton, seeming to speak the sense of the army, under the appellation of many thousand godly men, who had ventured their lives in defence of the parliament, said that the king, by denying the four bills, had refused safety and protection to his people, that their obedience to him was but a reciprocal duty for his protection of them, and that, as he had failed on his part they were freed from all obligations to allegiance, and must settle the nation without consulting any longer so misguided a prince (Clement Walker, p 70). Cromwell, after giving an ample character of the valour, good affections, and godliness of the army, subjoined that it was expected the parliament should guide and defend the kingdom by their own power and resolutions, and not accustom the people any longer to expect safety and government from an obstinate man, whose heart God had hardened, that those who, at the expense of their blood, had hitherto defended the parliament from so many dangers, would still continue, with fidelity and courage, to protect them against all opposition in this vigorous measure. 'Teach them not,' added he, 'by your neglecting your own safety and that of the kingdom (in which theirs too is involved) to imagine themselves betrayed, and their interests abandoned to the rage and malice of an irreconcilable enemy, whom, for your sake, they have dared to provoke. Beware (and at these words he laid his hand on his sword), beware, lest despair cause them to seek safety by some other means than by adhering to you who know not how to consult your own safety' (Clement Walker, p 70). Such arguments prevailed, though ninety-

some members had still the courage to oppose. It was voted (Jan 15 A.D. 1648) that no more addresses be made to the king, nor any letters or messages be received from him, and that it be treason for any one, without leave of the two houses, to have any intercourse with him. The lords concurred in this ordinance (Rush vol viii pp 965, 967)

By this vote of non-addresses, so it was called, the king was, in reality, dethroned, and the whole constitution formally overthrown. So violent a measure was supported by a declaration of the commons no less violent. The blackest calumnies were there thrown upon the king, such as, even in their famous remonstrance, they thought proper to omit, as incredible and extravagant the poisoning of his father, the betraying of Rochelle, the contriving of the Irish massacre. (Rush vol. viii p 998, Clarendon, vol v p 93) By blasting his fame, had that injury been in their power, they formed a very proper prelude to the executing of violence on his person.

No sooner had the king refused his assent to the four bills, than Hammond, by orders from the army, removed all his servants, cut off his correspondence with his friends, and shut him up in close confinement. The king afterwards showed to Sir Philip Warwick, a decrepid old man, who, he said, was employed to kindle his fire, and was the best company he enjoyed, during several months that this rigorous confinement lasted (Warwick, p 329). No amusement was allowed him, nor society, which might relieve his anxious thoughts to be speedily poisoned or assassinated was the only prospect which he had, every moment, before his eyes for he entertained no apprehension of a judicial sentence and execution, an event of which no history hitherto furnished an example. Meanwhile the parliament was very industrious in publishing, from time to time, the intelligence which they received from Hammond, how cheerful the king was, how pleased with every one that approached him, how satisfied in his present condition (Rush. vol viii p 989). As if the view of such benignity and constancy had not been more proper to inflame, than allay, the general compassion of the people. The great source whence the king derived consolation amidst all his calamities, was undoubtedly religion, a principle which, in him, seems to have contained nothing fierce or gloomy, nothing which enraged him against his adversaries, or terrified him with the dismal prospect of futurity. While every thing around him bore a hostile aspect, while friends, family, relations, whom he passionately loved, were placed at a distance, and unable to serve him, he reposed himself with confidence in the arms of that Being who penetrates and sustains all nature, and whose severities, it received with piety and resignation, he regarded as the surest pledges of unexhausted favour.

The parliament and army, meanwhile, enjoyed not, in tranquillity, that power which they had obtained with so much violence and injustice. Combinations and conspiracies, they were sensible, were everywhere forming around them; and Scotland, whence the king's cause had received the first fatal disaster, seemed now to promise it support and assistance.

Before the surrender of the king's person at Newcastle, and much more, since that event, the subjects of discontent had been daily

multiplying between the two kingdoms. The independents, who began to prevail, took all occasions of mortifying the Scots, whom the presbyterians looked on with the greatest affection and veneration. When the Scottish commissioners, who, joined to a committee of English Lords and commons, had managed the war, were ready to depart, it was proposed in parliament to give them thanks for their civilities and good offices. The independents insisted, that the words '*Good offices*' should be struck out, and thus the whole brotherly friendship and intimate alliance with the Scots resolved itself into an acknowledgment of their being well-bred gentlemen.

The advance of the army to London, the subjection of the parliament, the seizing of the king at Holdenby, his confinement in Carisbrooke Castle, were so many blows sensibly felt by that nation, as threatening the final overthrow of presbytery, to which they were so passionately devoted. The covenant was profanely called, in the house of commons, an almanack out of date (Walker, p 80), and that impiety, though complained of, had passed uncensured. Instead of being able to determine and establish orthodoxy by the sword and by penal statutes, they saw the sectarian army, who were absolute masters, claim an unbounded liberty of conscience, which the presbyterians regarded with the utmost abhorrence. All the violences put on the king they loudly blamed, as repugnant to the covenant, by which they stood engaged to defend his royal person. And those very actions of which they themselves had been guilty, they denominated treason and rebellion, when executed by an opposite party.

The earls of Loudon, Lauderdale, and Lanark, who were sent to London, protested against the four bills, as containing too great a diminution of the king's civil power, and providing no security for religion. They complained, that, notwithstanding this protestation, the bills were still insisted on, contrary to the solemn league, and to the treaty between the two nations. And when they accompanied the English commissioners to the Isle of Wight, they secretly formed a treaty with the king, for arming Scotland in his favour (Clarendon, vol v p 101).

Three parties, at that time, prevailed in Scotland. the '*Royalists*,' who insisted upon the restoration of the king's authority, without any regard to religious sects or tenets of these Montrose, though absent, was regarded as the head. The '*Rigid presbyterians*,' who hated the king, even more than they abhorred toleration and who determined to give him no assistance, till he should subscribe the covenant. these were governed by Argyle. The '*Moderate presbyterians*' who endeavoured to reconcile the interests of religion and of the crown, and hoped, by supporting the presbyterian party in England, to suppress the sectarian army, and to reinstate the parliament, as well as the king, in their just freedom and authority. the two brothers, Hamilton and Lanark, were leaders of this party.

When Pendennis Castle was surrendered to the parliamentary army, Hamilton, who then obtained his liberty, returned into Scotland, and being generously determined to remember ancient favours, more than recent injuries, he immediately embraced, with zeal and success, the protection of the royal cause. He obtained a vote from the Scottish

parliament to arm 40,000 men in support of the king's authority, and to call over a considerable body under Monro, who commanded the Scottish forces in Ulster. And though he openly protested, that the covenant was the foundation of all his measures, he secretly entered into correspondence with the English royalists, Sir Marmaduke Langdale and Sir Philip Musgrave, who had levied considerable forces in the north of England.

The general assembly, who sat at the same time, and was guided by Argyle, dreaded the consequence of these measures, and foresaw that the opposite party, if successful, would effect the restoration of monarchy, without the establishment of presbytery, in England. To join the king before he had subscribed the covenant, was, in their eyes, to restore him to his honour before Christ had obtained his (Whitlocke, p. 305); and they thundered out anathemas against every one who paid obedience to the parliament. Two supreme independent judicatures were erected in the kingdom, one threatening the people with damnation and eternal torments, the other with imprisonment, banishment, and military execution. The people were distracted in their choice; and the armament of Hamilton's party, though seconded by all the civil power, went on but slowly. The royalists he would not, as yet, allow to join him, lest he might give offence to the ecclesiastical party, though he secretly promised them trust and preferment, as soon as his army should advance into England.

While the Scots were making preparations for the invasion of England, every part of that kingdom was agitated with tumults, insurrections, conspiracies, discontents. It is seldom that the people gain anything by revolutions in government, because the new settlement, jealous and insecure, must commonly be supported with more expence and severity than the old. but on no occasion was the truth of this maxim more sensibly felt, than in the present situation of England. Complaints against the oppression of ship-money, against the tyranny of the star-chamber, had roused the people to arms and having gained a complete victory over the crown, they found themselves loaded with a multiplicity of taxes, formerly unknown; and scarcely an appearance of law and liberty remained in the administration. The presbyterians, who had chiefly supported the war, were engaged to find the prize, just when it seemed within their reach, snatched by violence from them. The royalists, disappointed in their expectations, by the cruel treatment which the king now received from the army, were strongly animated to restore him to liberty, and to recover the advantages which they had unfortunately lost. All orders of men were inflamed with indignation at seeing the military prevail over the civil power, and king and parliament at once reduced to subjection by a mercenary army. Many persons of family and distinction had, from the beginning of the war, adhered to the parliament but all these were, by the new party, deprived of authority, and every office was entrusted to the most ignoble part of the nation. A base populace exalted above their superiors hypocrites exercising iniquity under the vizard of religion these circumstances promised not much liberty or lenity to the people, and these were now found united, in the same usurped and illegal administration.

Though the whole nation seemed to combine in their hatred of military tyranny, the ends which the several parties pursued were so different, that little concert was observed in their insurrections. Langhorne, Poyer, and Powel, presbyterian officers, who commanded bodies of troops in Wales, were the first that declared themselves, and they drew together a considerable army in those parts, which were extremely devoted to the royal cause. An insurrection was raised in Kent by young Hales and the Earl of Norwich. Lord Capel, Sir Charles Lucas, Sir George Lisle, excited commotions in Essex. The Earl of Holland, who had several times changed sides since the commencement of the civil wars, endeavoured to assemble forces in Surrey. Pomfret Castle in Yorkshire was surprised by Morrice. Langdale and Musgrave were in arms, and masters of Berwick and Carlisle in the north.

What seemed the most dangerous circumstance, the general spirit of discontent had seized the fleet. Seventeen ships, lying in the mouth of the river, declared for the king, and putting Rainsborow, their admiral, ashore, sailed over to Holland, where the Prince of Wales took the command of them (Clarendon, vol. v. p. 137).

The English royalists exclaimed loudly against Hamilton's delays, which they attributed to a refined policy in the Scots, as if their intentions were, that all the king's party should first be suppressed, and the victory remain solely to the presbyterians. Hamilton, with better reason, complained of the precipitate humour of the English royalists, who, by their ill-timed insurrections, forced him to march his army before his levies were completed, or his preparations in any state of forwardness.

No commotions, beyond a tumult of the apprentices, which was soon suppressed, were raised in London. The terror of the army kept the citizens in subjection. The parliament was so overawed, that they declared the Scots to be enemies, and all who joined them, traitors. Ninety members, however, of the lower house had the courage to dissent from this vote.

Cromwell and the military council prepared themselves with vigour and conduct for defence. The establishment of the army, was at this time, 26,000 men, but by enlisting supernumeraries, the regiments were greatly augmented, and commonly consisted of more than double their stated complement (Whitlocke, p. 284). Colonel Horton first attacked the revolted troops in Wales, and gave them a considerable defeat. The remnants of the vanquished threw themselves into Pembroke, and were there closely besieged, and soon after taken, by Cromwell. Lambert was opposed to Langdale and Musgrave in the north, and gained advantages over them. Sir Michael Livesey defeated the Earl of Holland at Kingston, and pursuing his victory, took him prisoner at St Neots. Fairfax, having routed the Kentish royalists at Maidstone, followed the broken army, and when they joined the royalists of Essex, and threw themselves into Colchester, he laid siege to that place, which defended itself to the last extremity. A new fleet was manned, and sent out under the command of Warwick, to oppose the revolted ships, of which the prince had taken the command.

While the forces were employed in all quarters, the parliament

regained its liberty, and began to act with its wonted courage and spirit. The members, who had withdrawn, from terror of the army, returned, and infusing boldness into their companions, restored to the presbyterian party the ascendant, which it had formerly lost. The eleven impeached members were recalled, and the vote, by which they were expelled, was reversed. The vote too of non-addresses was repealed, and commissioners, five peers and ten commoners, were sent to Newport in the Isle of Wight, in order to treat with the king¹. He was allowed to summon several of his friends and old counsellors, that he might have their advice in this important transaction (Sir Edw Walker's perfect copies, p. 8). The theologians, on both sides, armed with their syllogisms and quotations, attended as auxiliaries (Sir Edw Walker's perfect copies, pp. 8, 38). By them the flame had first been raised, and their appearance was but a bad prognostic of its extinction. Any other instruments seemed to be better adapted for a treaty of pacification.

When the king (Sept. 18. Treaty of Newport) presented himself to this company a great and sensible alteration was remarked in his aspect from what it was the year before, when he resided at Hampton Court. The moment his servants had been removed, he had laid aside all care of his person, and had allowed his beard and hair to grow and to hang dishevelled and neglected. His hair was become almost entirely grey, either from the decline of years or from that load of sorrows under which he laboured, and which, though borne with constancy, preyed inwardly on his sensible and tender mind. His friends beheld with compassion, and perhaps even his enemies, that 'grey and discrowned head,' as he himself terms it in a copy of verses, which the truth of the sentiment, rather than any elegance of expression, renders very pathetic (Burnet's Mem of Hamilton). Having in vain endeavoured by courage to defend his throne from his armed adversaries, it now behoved him, by reasoning and persuasion, to save some fragments of it from these peaceful, and no less implacable, negotiators.

The vigour of the king's mind, notwithstanding the seeming decline of his body, here appeared unbroken and undecayed. The parliamentary commissioners would allow none of his counsel to be present, and refused to enter into reasoning with any but himself. He alone, during the transactions of two months, was obliged to maintain the argument against fifteen men of the greatest parts and capacity in both houses, and no advantage was ever obtained over him (Herbert's Mem. p. 72). This was the scene, above all others, in which he was qualified to excel. A quick conception, a cultivated understanding, a chaste elocution, a dignified manner by these accomplishments he triumphed in all discussions of cool and temperate reasoning. 'The king is much changed,' said the Earl of Salisbury to Sir Philip Warwick. 'He is extremely improved of late.' 'No,' replied Sir Philip, 'he was always so, but you are now at last sensible of it' (Warwick, p. 324). Sir Henry Vane, discoursing with his fellow commissioners, drew an argument from the king's uncommon abilities why the terms of pacification must be rendered more strict and rigid (Clarendon, Sir Edw. Walker,

¹ Clarendon, vol. v. p. 180, Sir Edw. Walker's perfect copies, p. 6.

p. 319). But Charles's capacity shone not equally in action as in reasoning.

The first point insisted on by the parliamentary commissioners was the king's recalling all his proclamations and declarations against the parliament, and the acknowledging that they had taken arms in their own defence. He frankly offered the former concession, but long scrupled the latter. The falsehood, as well as indignity of that acknowledgment, begat in his breast an extreme reluctance against it. The king had, no doubt, in some particulars of moment invaded, from a seeming necessity, the privileges of his people, but having renounced all claim to these usurped powers, having confessed his errors, and having repaired every breach in the constitution, and even erected new ramparts in order to secure it, he could no longer, at the commencement of the war, be represented as the aggressor. However it might be pretended, that the former display of his arbitrary inclinations, or rather his monarchical principles, rendered an offensive or preventive war in the parliament prudent and reasonable, it could never in any propriety of speech make it be termed a defensive one. But the parliament, sensible that the letter of the law condemned them as rebels and traitors, deemed this point absolutely necessary for their future security. And the king, finding that peace could be obtained on no other terms, at last yielded to it. He only entered a protest, which was admitted, that no concession made by him should be valid unless the whole treaty of pacification were concluded (Walker, pp 11, 24).

He agreed that the parliament should retain, during the term of twenty years, the power over the militia and army, and that of levying what money they pleased for their support. He even yielded to them the right of resuming, at any time afterwards, this authority whenever they should declare such a resumption necessary for public safety. In effect, the important power of the sword was for ever ravished from him and his successors (Walker, p 51).

He agreed that all the great offices, during twenty years, should be filled by both houses of parliament (Walker, p 78). He relinquished to them the entire government of Ireland and the conduct of the war there (Walker, p 45). He renounced the power of the wards, and accepted of 100,000*l* a year in lieu of it (Walker, pp 69, 77). He acknowledged the validity of their great seal, and gave up his own (Walker, pp 56, 68). He abandoned the power of creating peers without consent of parliament. And he agreed that all the debts contracted in order to support the war against him should be paid by the people.

So great were the alterations made on the English constitution by this treaty, that the king said, not without reason, that he had been more an enemy to his people by these concessions, could he have prevented them, than by any other action of his life.

Of all the demands of parliament Charles refused only two. Though he relinquished almost every power of the crown, he would neither give up his friends to punishment nor desert what he esteemed his religious duty. The severe repentance which he had undergone for abandoning Strafford had, no doubt, confirmed him in the resolution never again to be guilty of a like error. His long solitude and severe afflictions had

contributed to rivet him the more in those religious principles which had ever a considerable influence over him. His desire, however, of finishing an accommodation induced him to go as far in both these particulars as he thought any wise consistent with his duty.

The estates of the royalists being at that time almost entirely under sequestration, Charles, who could give them no protection, consented that they should pay such compositions as they and the parliament could agree on, and only begged that they might be made as moderate as possible. He had not the disposal of offices, and it seemed but a small sacrifice to consent that a certain number of his friends should be rendered incapable of public employments (Walker, p. 62). But when the parliament demanded a bill of attainder and banishment against seven persons, the Marquess of Newcastle, Lord Digby, Lord Biron, Sir Marmaduke Langdale, Sir Richard Granville, Sir Francis Doddington, and Judge Jenkins, the king absolutely refused compliance. Their banishment for a limited time he was willing to agree to (Walker, pp. 91, 93).

Religion was the fatal point about which the differences had arisen; and of all others, it was the least susceptible of composition or moderation between the contending parties. The parliament insisted on the establishment of presbytery, the sale of the chapter lands, the abolition of all forms of prayer, and strict laws against catholics. The king offered to retrench everything, which he did not esteem of apostolical institution: he was willing to abolish archbishops, deans, prebends, canons: he offered, that the chapter lands should be let at low leases during ninety-nine years: he consented, that the present church government should continue during three years (Walker, pp. 29, 35, 49). After that time, he required not that any thing should be restored to bishops but the power of ordination, and even that power to be exercised by advice of the presbyters (Walker, p. 65). If the parliament, upon the expiration of that period, still insisted on their demand, all other branches of episcopal jurisdiction were abolished, and a new form of church government must by common consent, be established. The book of common prayer he was willing to renounce, but required the liberty of using some other liturgy in his own chapel (Walker, pp. 75, 82, Rush vol. viii. p. 1323). A demand which, though seemingly reasonable, was positively refused by the parliament.

In the dispute on these articles, one is not surprised, that two of the parliamentary theologians should tell the king, 'That if he did not consent to the utter abolition of episcopacy, he would be damned'. But it is not without some indignation that we read the following vote of the lords and commons: 'The houses, out of their detestation to that abominable idolatry used in the mass, do declare, that they cannot admit of, or consent unto, any such indulgence in any law, as is desired by his majesty, for exempting the queen and her family from the penalties to be enacted against the exercise of the mass' (Walker, p. 71). The treaty of marriage, the regard to the queen's sex and high station, even common humanity, all considerations were undervalued, in comparison of their bigoted prejudices.¹

¹ The king composed a letter to the prince, in which he related the whole course of this transaction, and accompanied his narrative with several wise, as well as pathetic reflections.

It was evidently the interest, both of king and parliament, to finish their treaty with all expedition, and endeavour, by their combined force, to resist, if possible, the usurping fury of the army. It seemed even the interest of the parliament, to leave, in the king's hand a considerable share of authority, by which he might be enabled to protect them and himself, from so dangerous an enemy. But the terms, on which they insisted, were so rigorous, that the king, fearing no worse from the most implacable enemies, was in no haste to come to a conclusion. And so great was the bigotry on both sides, that they were willing to sacrifice the greatest civil interests, rather than relinquish the most minute of their theological contentions. From these causes, assisted by the artifice of the independents, the treaty was spun out to such a length, that the invasions and insurrections where everywhere subdued; and the army had leisure to execute their violent and sanguinary purposes.

Hamilton, having entered England with a numerous, although undisciplined army, durst not unite his forces with those of Langdale, because the English royalists had refused to take the covenant, and the Scottish presbyterians, though engaged for the king, refused to join them on any other terms. The two armies marched together, though at some distance, nor could even the approach of the parliamentary army under Cromwell, oblige the covenanters to consult their own safety, by a close union with the royalists. When principles are so absurd and so destructive of human society, it may safely be averred, that the more sincere and the more disinterested they are, they only become the more ridiculous and more odious.

Cromwell feared not to oppose 8,000 men, to the numerous armies of 20,000, commanded by Hamilton and Langdale. He attacked the

and advices. The words with which he concluded the letter are remarkable. 'By what hath been said, you see how long I have laboured in the search of peace. do not you be distressed to tread in the same steps. Use all worthy means to restore yourself to your rights, but prefer the way of peace. show the greatness of your mind, rather to conquer your enemies by pardoning, than by punishing. If you saw how unmanly and unchristian the implacable disposition is in our ill-wishers you would avoid that spirit. Censure me not for having parted with so much of our right. The price was great, but the commodity was, security to us, peace to my people. And I am confident, that another parliament would remember, how useful a king's power is to a people's liberty, of how much power I divested myself, that I and they might meet once again in a parliamentary way in order to agree to the bounds of prince and people. Give belief to my experience, never to affect more greatness or prerogative, than what is really and intrinsically for the good of the subjects, not the satisfaction of favourites. If you thus use it, you will never want means to be a father to all, and a bountiful prince to any, whom you incline to be extraordinarily gracious to. You may perceive, that all men entrust their treasure, where it returns them interest, and if a prince, like the sea, receive and repay all the fresh streams, which the rivers entrust with him, they will not grudge, but pride themselves to make him up an ocean. These considerations may make you as great a prince as your father is a low one, and your state may be so much the more established, as mine hath been shaken. For our subjects have learned, I dare say, that victories over their princes, are but triumphs over themselves, and so will more unwillingly hearken to changes hereafter. The English nation are a sober people, however, at present, infatuated. I know not but this may be the last time I may speak to you or the world publicly. I am sensible into what hands I am fallen, and yet, I bless God, I have those inward refreshments, which the malice of my enemies cannot perturb. I have learned to be busy myself, by retiring into myself, and therefore can the better digest whatever befalls me, not doubting but God's providence will restrain our enemies' power, and turn their fierceness into his praise. To conclude, if God give you success, use it humbly, and be ever far from revenge. If he restore you to your right on hard conditions, whatever you promise, keep. These men, who have violated laws, which they were bound to preserve, will find their triumphs full of trouble. But do you not think anything in the world worth attaining by foul and unjust means.'

latter by surprise, near Preston in Lancashire (Aug 17), and, though the royalists made a brave resistance, yet not being succoured in time by their confederates, they were almost entirely cut in pieces. Hamilton was next attacked, put to rout, and pursued to Utttoxeter, where he surrendered himself prisoner. Cromwell followed his advantage, and marching into Scotland with a considerable body, joined Argyle, who was also in arms, and having suppressed Laneric, Monro, and other moderate presbyterians, he placed the power entirely in the hands of the violent party. The ecclesiastical authority, exalted above the civil, exercised the severest vengeance on all who had a share in Hamilton's engagement, as it was called, nor could any of that party recover trust, or even live in safety, but by doing solemn and public penance for taking arms, by authority of parliament, in defence of their lawful sovereign.

The chancellor, Loudon, who had, at first, countenanced Hamilton's enterprise, being terrified with the menaces of the clergy, had, some time before, gone over to the other party, and he now openly in the church, though invested with the highest civil character in the kingdom, did penance for his obedience to the parliament, which he termed a 'carnal self-seeking.' He accompanied his penance with so many tears, and such pathetic addresses to the people for their prayers in this his uttermost sorrow and distress, that an universal weeping and lamentation took place among the deluded audience (Whitlocke, p 360).

The loan of great sums of money, often to the ruin of families, was exacted from all such as lay under any suspicion of favouring the king's party, though their conduct had been ever so offensive. This was a device, fallen upon by the ruling party, in order, as they said, to reach 'Heart Malignants' (Guthrey). Never, in this island, was known a more severe and arbitrary government, than was generally exercised, by the patrons of liberty in both kingdoms.

The siege of Colchester terminated in a manner no less unfortunate than Hamilton's engagement, for the royal cause. After suffering the utmost extremities of famine, after feeding on the vilest aliments, the garrison desired, at last, to capitulate. Fairfax required them to surrender at discretion, and he gave such an explanation to these terms, as to reserve to himself power, if he pleased, to put them all instantly to the sword. The officers endeavoured, though in vain, to persuade the soldiers, by making a vigorous sally, to break through, at least, to sell their lives as dear as possible. They were obliged (Aug 18) to accept of the conditions offered, and Fairfax, instigated by Ireton, to whom Cromwell, in his absence, had consigned over the government of the passive general, seized Sir Charles Lucas and Sir George Lisle, and resolved to make them instant sacrifices to military justice. This unusual severity was loudly exclaimed against by all the prisoners. Lord Capel, fearless of danger, reproached Ireton with it, and challenged him, as they were all engaged in the same honourable cause, to exercise the same impartial vengeance on all of them. Lucas was first shot, and he himself gave orders to fire, with the same alacrity as if he had commanded a platoon of his own soldiers. Lisle instantly ran and kissed the dead body, then cheerfully presented himself to a like

fate. Thinking that the soldiers, destined for his execution, stood at too great a distance, he called to them to come nearer. one of them replied, 'I'll warrant you, Sir, we'll hit you.' he answered, smiling, 'Friends, I have been nearer you when you have missed me.' Thus perished this generous spirit, not less beloved for his modesty and humanity, than esteemed for his courage and military conduct.

Soon after, a gentleman appearing in the king's presence, clothed in mourning for Sir Charles Lucas, that humane prince, suddenly recollecting the hard fate of his friends, paid them a tribute, which none of his own unparalleled misfortunes ever extorted from him: He dissolved into a flood of tears (Whitlocke).

By these multiplied successes of the army, they had subdued all their enemies, and none remained but the helpless king and parliament, to oppose their violent measures. From Cromwell's suggestion, a remonstrance was drawn by the council of general officers, and sent to the parliament. They there complain of the treaty with the king; demand his punishment for the blood spilt during the war, require a dissolution of the present parliament, and a more equal representation for the future, and assert, that, though servants, they are entitled to represent these important points to their masters, who are themselves no better than servants and trustees of the people. At the same time, they advanced with the army to Windsor, and sent Colonel Eure to seize the king's person at Newport, and convey him to Hurst Castle in the neighbourhood, where he was detained in strict confinement.

This measure being foreseen some time before, the king was exhorted to make his escape, which was conceived to be very easy: but having given his word to the parliament not to attempt the recovery of his liberty during the treaty, and three weeks after, he would not, by any persuasion, be induced to hazard the reproach of violating that promise. In vain was it urged, that a promise, given to the parliament, could no longer be binding, since they could no longer afford him protection from violence, threatened him by other persons, to whom he was bound by no tie or engagement. The king would indulge no refinements of casuistry, however plausible, in such delicate subjects, and was resolved, that, what depredations soever fortune should commit upon him, she never should bereave him of his honour (Cooke's Mem, p 174, Rush vol viii p 1347).

The parliament lost not courage, notwithstanding the danger with which they were so nearly menaced. Though without any plan for resisting military usurpations, they resolved to withstand them to the uttermost; and rather to bring on a violent and visible subversion of government, than lend their authority to those illegal and sanguinary measures which were projected. They set aside the remonstrance of the army, without deigning to answer it, they voted the seizing of the king's person to be without their consent, and sent a message to the general, to know by what authority that enterprize had been executed; and they issued orders, that the army should advance no nearer to London.

Hollis, the present leader of the presbyterians, was a man of unconquerable intrepidity, and many others of that party seconded his

magnanimous spirit. It was proposed by them, that the generals and principal officers should, for their disobedience and usurpations, be proclaimed traitors by the parliament.

But the parliament was dealing with men who would not be frightened by words, nor retailed by any scrupulous delicacy. The generals, under the name of Fairfax (for he still allowed them to employ his name), marched the army to London, and, placing guards in Whitehall, the Mews, St James's, Durham-house, Covent-garden, and Palace-yard, surrounded the parliament with hostile armaments.

The parliament, destitute of all hopes of prevailing, retained, however, courage to resist. They (Dec 6,) attempted, in the face of the army, to close their treaty with the king, and, though they had formerly voted his concessions with regard to the church and delinquents to be unsatisfactory, they now took into consideration the final resolution with regard to the whole. After a violent debate of three days, it was carried, by a majority of 129 against 83, in the house of commons, that the king's concessions were a foundation for the houses to proceed upon in the settlement of the kingdom.

Next day, when the commons were to meet, Colonel Pride, formerly a drayman, had environed the house with two regiments; and, directed by Lord Grey of Groby, he seized in the passage forty-one members of the presbyterian party, and sent them to a low room, which passed by the appellation of 'hell,' whence they were afterwards carried to several inns. Above 160 members more were excluded, and none were allowed to enter but the most furious and most determined of the independents, and these exceeded not the number of fifty or sixty. This invasion of the parliament commonly passed under the name of 'Colonel Pride's purge,' so much disposed was the nation to make merry with the dethroning of those members, who had violently arrogated the whole authority of government, and deprived the king of his legal prerogatives.

The subsequent proceedings of the parliament, if this diminutive assembly deserve that honourable name, retain not the least appearance of law, equity, or freedom. They instantly reversed the former vote, and declared the king's concessions unsatisfactory. They determined, that no member, absent at this last vote, should be received, till he subscribed it as agreeable to his judgment. They renewed their former vote of non-addresses. And they committed to prison, Sir William Waller, Sir John Clotworthy, the generals Massey, Brown, Copley, and other leaders of the presbyterians. These men, by their credit and authority, which was then very high, had, at the commencement of the war, supported the parliament, and thereby prepared the way for the greatness of the present leaders, who, at that time, were of small account in the nation.

The secluded members having published a paper, containing a narrative of the violence which had been exercised upon them, and a protestation, that all acts were void, which from that time had been transacted in the house of commons; the remaining members encountered it with a declaration, in which they pronounced it false, scandalous, seditious, and tending to the destruction of the visible and fundamental government of the kingdom.

These sudden and violent revolutions held the whole nation in terror and astonishment. Every man dreaded to be trampled under foot, in the contention between those mighty powers, which disputed for the sovereignty of the state. Many began to withdraw their effects beyond sea; foreigners scrupled to give any credit to a people, so torn by domestic faction, and oppressed by military usurpation; even the internal commerce of the kingdom began to stagnate; and in order to remedy these growing evils, the generals, in the name of the army, published a declaration, in which they expressed their resolution of supporting law and justice (Rush vol viii p 1364).

The more to quiet the minds of men, the council of officers took into consideration a scheme called 'The agreement of the people,' being the plan of a republic, to be substituted in the place of that government, which they had so violently pulled in pieces. Many parts of this scheme, for correcting the inequalities of the representation, are plausible; had the nation been disposed to receive it, or had the army intended to impose it. Other parts are too perfect for human nature, and savour strongly of that fanatical spirit so prevalent throughout the kingdom.

The height of all iniquity and fanatical extravagance yet remained, the public trial and execution of their sovereign. To this period was every measure precipitated by the zealous independents. The parliamentary leaders of that party had intended that the army, themselves, should execute that daring enterprise, and they deemed so irregular and lawless a deed, best fitted to such irregular and lawless instruments (Whitlocke). But the generals were too wise, to load themselves singly with the infamy which, they knew, must attend an action so shocking to the general sentiments of mankind. The parliament, they were resolved, should share with them the reproach of a measure which was thought requisite for the advancement of their common ends of safety and ambition. In the house of commons, therefore, a committee was appointed to bring in a charge against the king. On their report a vote passed, declaring it treason in a king to levy war against his parliament, and appointing a High Court of Justice to try Charles for this new invented treason. This vote was sent up to the house of peers.

The house of peers, during the civil wars, had, all along, been of small account, but it had lately, since the king's fall, become totally contemptible, and very few members would submit to the mortification of attending it. It happened, that day to be fuller than usual, and they were assembled, to the number of sixteen. Without one dissenting voice, and almost without deliberation, they instantly rejected the vote of the lower house, and adjourned themselves for ten days, hoping, that this delay would be able to retard the furious career of the commons.

The commons were not to be stopped by so small an obstacle. Having first established a principle, which is noble in itself, and seems specious, but is belied by all history and experience, 'That the people are the origin of all just power,' they next declared, that the commons of England, assembled in parliament, being chosen by the people, and representing them, are the supreme authority of the nation, and that

whatever is enacted and declared to be law by the commons, hath the force of law, without the consent of king or house of peers The ordinance for the trial of Charles Stuart, king of England, so they called him, was (Jan 4, A.D. 1649) again read, and unanimously assented to.

In proportion to the enormity of the violences and usurpations, were augmented the pretences of sanctity, among those regicides 'Should any one have voluntarily proposed,' said Cromwell, 'in the house to bring the king to punishment, I should have regarded him as the greatest traitor, but, since providence and necessity have cast us upon it, I will pray to God for a blessing on your counsels; though I am not prepared to give you any advice on this important occasion. Even I myself,' subjoined he, 'when I was lately offering up petitions for his majesty's restoration, felt my tongue cleave to the roof of my mouth, and considered this preternatural movement as the answer which heaven, having rejected the king, had sent to my supplications'

A woman of Hertfordshire, illuminated by prophetic visions, desired admittance into the military council, and communicated to the officers a revelation, which assured them, that their measures were consecrated from above, and ratified by a heavenly sanction This intelligence gave them great comfort, and much confirmed them in their present resolutions (Whitlocke, p. 360)

Colonel Harrison, the son of a butcher, and the most furious enthusiast in the army, was sent with a strong party to conduct the king to London At Windsor, Hamilton, who was there detained a prisoner, was admitted into the king's presence, and falling on his knees, passionately exclaimed, 'My dear master!'—'I have indeed been so to you,' replied Charles, embracing him No farther intercourse was allowed between them The king was instantly hurried away. Hamilton long followed him with his eyes, all suffused in tears, and prognosticated that, in this short salutation, he had given the last adieu to his sovereign and his friend

Charles himself was assured, that the period of his life was now approaching, but notwithstanding all the preparations which were making, and the intelligence which he received, he could not, even yet, believe that his enemies really meant to conclude their violences by a public trial and execution A private assassination he every moment looked for, and though Harrison assured him that his apprehensions were entirely groundless, it was by that catastrophe, so frequent with dethroned princes, that he expected to terminate his life In appearance, as well as in reality, the king was now dethroned. All the exterior symbols of sovereignty were withdrawn, and his attendants had orders to serve him without ceremony At first, he was shocked with instances of rudeness and familiarity, to which he had been so little accustomed 'Nothing so contemptible as a despised prince!' was the reflection which they suggested to him But he soon reconciled his mind to this, as he had done to his other calamities

All the circumstances of the trial were now adjusted, and the high court of justice fully constituted It consisted of 133 persons, as named by the commons, but there scarcely ever sat above 70, so

difficult was it, notwithstanding the blindness of prejudice, and the allurements of interest, to engage men of any name or character in that criminal measure. Cromwell, Ireton, Hainson, and the chief officers of the army, most of them of mean birth, were members, together with some of the lower house and some citizens of London. The twelve judges were at first appointed in the number, but as they had affirmed that it was contrary to all the ideas of English law to try the king for treason, by whose authority all accusations for treason must necessarily be conducted, their names, as well as those of some peers, were afterwards struck out. Bradshaw, a lawyer, was chosen president. Coke was appointed solicitor for the people of England. Dorislaus, Steele, and Aske, were named assistants. The court sat in Westminster-hall.

It is remarkable that, in calling over the court, when the crier pronounced the name of Fairfax, which had been inscribed in the number, a voice came from one of the spectators, and cried, 'He has more wit than to be here.' When the charge was read against the king, 'In the name of the people of England,' the same voice exclaimed, 'Not a tenth part of them.' Axtel the officer, who guarded the court, giving orders to fire into the box whence these insolent speeches came, it was discovered that Lady Fairfax was there, and that it was she who had had the courage to utter them. She was a person of noble extraction, daughter of Horace, Lord Vere of Tilbury, but being seduced by the violence of the times, she had long seconded her husband's zeal against the royal cause, and was now, as well as he, struck with abhorrence at the fatal and unexpected consequence of all his boasted victories.

The pomp, the dignity, the ceremony of this transaction corresponded to the greatest conception that is suggested in the annals of human kind, the delegates of a great people sitting in judgment upon their supreme magistrate, and trying him for his misgovernment and breach of trust. The solicitor, in the name of the commons, represented, that Charles Stuart, being admitted king of England, and 'entrusted' with a limited power, yet nevertheless, from a wicked design to erect an unlimited and tyrannical government, had traitorously and maliciously levied war against the present parliament, and the people whom they represented, and was therefore impeached as a tyrant, traitor, murderer, and a public and implacable enemy to the commonwealth. After the charge was finished, the president directed his discourse to the king, and told him, that the court expected his answer.

The king, though long detained a prisoner, and now produced as a criminal, sustained, by his magnanimous courage, the majesty of a monarch. With great temper and dignity, he declined the authority of the court, and refused to submit himself to their jurisdiction. He represented, that, having been engaged in treaty with his two houses of parliament, and, having finished almost every article, he had expected to be brought to his capital in another manner, and ere this time, to have been restored to his power, dignity, revenue, as well as to his personal liberty. That he could not now perceive any appearance of the upper house, so essential a member of the constitution;

and had learned, that even the commons, whose authority was pretended were subdued by lawless force, and were bereaved of their liberty that he himself was their 'NATIVE HEREDITARY KING,' nor was the whole authority of the state, though free and united, intitled to try him, who derived his dignity from the Supreme Majesty of heaven That, admitting these extravagant principles which levelled all orders of men, the court could plead no power delegated by the people, unless the consent of every individual, down to the meanest and most ignorant peasant, had been previously asked and obtained. That he acknowledged, without scruple, that he had a 'trust' committed to him, and one most sacred and inviolable, he was entrusted with the liberties of his people, and would not now betray them, by recognising a power, founded on the most atrocious violence and usurpation. That having taken arms, and frequently exposed his life in defence of public liberty, of the constitution, of the fundamental laws of the kingdom, he was willing, in this last and most solemn scene, to seal with his blood those precious rights for which, though in vain, he had so long contended That those who arrogated a title to sit as his judges, were born his subjects, and born subjects to those laws, which determined, 'That the king can do no wrong' That he was not reduced to the necessity of sheltering himself under this general maxim, which guards every English monarch, even the least deserving, but was able, by the most satisfactory reasons, to justify those measures in which he had been engaged That, to the whole world, and even to them, his pretended judges, he was desirous, if called upon in another manner, to prove the integrity of his conduct, and assert the justice of those defensive arms, to which, unwillingly and unfortunately, he had had recourse But that, in order to preserve a uniformity of conduct, he must, at present, forego the apology of his innocence, lest, by ratifying an authority, no better founded than that of robbers and pirates, he be justly branded as the betrayer, instead of being applauded as the martyr, of the constitution

The president, in order to support the majesty of the people, and maintain the superiority of his court above the prisoner, still inculcated, that he must not decline the authority of his judges; that they overruled his objections, that they were delegated by the people, the only source of every lawful power, and that kings themselves acted but in trust from that community, which had invested this high court of justice with its jurisdiction Even according to those principles which, in his present situation, he was perhaps obliged to adopt, his behaviour, in general, will appear not a little harsh and barbarous, but when we consider him as a subject, and one too of no high character, addressing himself to his unfortunate sovereign, his style will be esteemed, to the last degree, audacious and insolent

Three times was Charles produced before the court, and as often declined their jurisdiction On the fourth, the judges having examined some witnesses, by whom it was proved, that the king had appeared in arms against the forces commissioned by the parliament, they (Jan. 27) pronounced sentence against him He seemed very anxious, at this time, to be admitted to a conference with the two houses, and it was supposed, that he intended to resign the crown to his son But

the court refused compliance, and considered that request as nothing but a delay of justice

It is confessed, that the king's behaviour, during this last scene of his life, does honour to his memory; and that in all appearances before his judges, he never forgot his part, either as a prince or as a man. Firm and intrepid, he maintained, in each reply, the utmost perspicuity and justness both of thought and expression. mild and equable, he rose into no passion at that unusual authority which was assumed over him. His soul, without effort or affectation, seemed only to remain in the situation familiar to it, and to look down with contempt on all the efforts of human malice and iniquity. The soldiers, instigated by their superiors, were brought, though with difficulty, to cry aloud for justice. 'Poor souls!' said the king to one of his attendants, 'for a little money they would do as much against their commanders' (Rush vol viii p 1425). Some of them were permitted to go the utmost length of brutal insolence, and to spit in his face, as he was conducted along the passage to the court. To excite a sentiment of pity was the only effect which this inhuman insult was able to produce upon him.

The people, though under the rod of lawless, unlimited power, could not forbear, with the most ardent prayers, pouring forth their wishes for his preservation, and, in his present distress, they avowed 'him,' by their generous tears, for their monarch, whom, in their misguided fury, they had before so violently rejected. The king was softened at this moving scene, and expressed his gratitude for their dutiful affection. One soldier too, seized by contagious sympathy, demanded from heaven a blessing on oppressed and fallen majesty. His officer, overhearing the prayer, beat him to the ground in the king's presence. 'The punishment, methinks, exceeds the offence.' This was the reflection which Charles formed on that occasion (Warwick, p 339).

As soon as the intention of trying the king was known in foreign countries, so enormous an action was exclaimed against by the general voice of reason and humanity, and all men, under whatever form of government they were born, rejected this example, as the utmost effort of undisguised usurpation, and the most heinous insult on law and justice. The French ambassador, by orders from his court, interposed in the king's behalf. The Dutch employed their good offices. The Scots exclaimed and protested against the violence. The queen, the prince, wrote pathetic letters to the parliament. All solicitations were found fruitless with men whose resolutions were fixed and irrevocable.

Four of Charles's friends, persons of virtue and dignity, Richmond, Hertford, Southampton, Lindsey, applied to the commons. They represented that they were the king's counsellors, and had concurred by their advice in all those measures which were now imputed as crimes to their royal master, that in the eye of the law, and according to the dictates of common reason, they alone were guilty, and were alone exposed to censure for every blameable action of the prince, and that they now presented themselves in order to save by their own punishment that precious life which it became the commons themselves, and every subject with the utmost hazard to protect and defend

(Perincheff, p. 85 ; Lloyd, p. 319) Such a generous effort tended to their honour, but contributed nothing towards the king's safety

The people remained in that silence and astonishment which all great passions, when they have not an opportunity of exerting themselves, naturally produce in the human mind. The soldiers being incessantly plied with prayers, sermons, and exhortations, were wrought up to a degree of fury, and imagined that in the acts of the most extreme disloyalty towards their prince consisted their greatest merit in the eye of heaven (Burnet's Hist. of his own Times)

Three days were allowed the king between his sentence and his execution. This interval he passed with great tranquillity, chiefly in reading and devotion. All his family that remained in England were allowed access to him. It consisted only of the Princess Elizabeth and the Duke of Gloucester, for the Duke of York had made his escape. Gloucester was little more than an infant. The princess, notwithstanding her tender years, showed an advanced judgment, and the calamities of her family had made a deep impression upon her. After many pious consolations and advices, the king gave her in charge to tell the queen that, during the whole course of his life, he had never once even in thought failed in his fidelity towards her, and that his conjugal tenderness and his life should have an equal duration.

To the young duke, too, he could not forbear giving some advice, in order to season his mind with early principles of loyalty and obedience towards his brother, who was so soon to be his sovereign. Holding him on his knee, he said, 'Now they will cut off thy father's head.' At these words the child looked very steadfastly upon him. 'Mark, child ! what I say. They will cut off my head, and perhaps make thee a king ! But mark what I say, thou must not be a king as long as thy brothers Charles and James are alive. They will cut off thy brothers' heads when they can catch them ! and thy head too they will cut off at last ! Therefore I charge thee do not be made a king by them !' The duke sighing, replied, 'I will be torn in pieces first !' So determined an answer from one of such tender years filled the king's eyes with tears of joy and admiration.

Every night during this interval the king slept sound as usual, though the noise of workmen employed in framing the scaffold, and other preparations for his execution, continually resounded in his ears (Walker's Hist. of Independ.) The morning of the fatal day (Jan. 30) he rose early, and calling Herbert, one of his attendants, he bade him employ more than usual care in dressing him, and preparing him for so great and joyful a solemnity. Bishop Juxon, a man endowed with the same mild and steady virtues by which the king himself was so much distinguished, assisted him in his devotions, and paid the last melancholy duties to his friend and sovereign.

The street before Whitehall was the place destined for the execution, for it was intended by choosing that very place, in sight of his own palace, to display more evidently the triumph of popular justice over royal majesty. When the king came upon the scaffold, he found it so surrounded with soldiers, that he could not expect to be heard by any of the people. He addressed, therefore, his discourse to the few persons who were about him, particularly Colonel Tomlinson, to whose

rare he had lately been committed, and upon whom, as upon many others, his amiable deportment had wrought an entire conversion. He justified his own innocence in the late fatal wars, and observed that he had not taken arms till after the parliament had enlisted forces, nor had he any other object in his warlike operations than to preserve that authority entire, which his predecessors had transmitted to him. He threw not, however, the blame upon the parliament, but was more inclined to think that ill instruments had interposed, and raised in them fears and jealousies with regard to his intentions. Though innocent towards his people, he acknowledged the equity of his execution in the eyes of his Maker, and observed that an unjust sentence, which he had suffered to take effect, was now punished by an unjust sentence upon himself. He forgave all his enemies, even the chief instruments of his death, but exhorted them and the whole nation to return to the ways of peace by paying obedience to their lawful sovereign, his son and successor. When he was preparing himself for the block, Bishop Juxon called to him 'There is, sir, but one stage more, which, though turbulent and troublesome, is yet a very short one. Consider, it will soon carry you a great way, it will carry you from earth to heaven, and there you shall find, to your great joy, the prize to which you hasten, a crown of glory.' 'I go,' replied the king, 'from a corruptible to an incorruptible crown, where no disturbance can have place.' At one blow was his head severed from his body. A man in a vizor performed the office of executioner. Another, in a like disguise, held up to the spectators the head streaming with blood, and cried aloud, 'This is the head of a traitor.'

It is impossible to describe the grief, indignation, and astonishment which took place, not only among the spectators, who were overwhelmed with a flood of sorrow, but throughout the whole nation, as soon as the report of this fatal execution was conveyed to them. Never monarch, in the full triumph of success and victory, was more dear to his people, than his misfortunes and magnanimity, his patience and piety, had rendered this unhappy prince. In proportion to their former delusions, which had animated them against him, was the violence of their return to duty and affection, while each reproached himself, either with active disloyalty towards him, or with too indolent defence of his oppressed cause. On weaker minds, the effect of these complicated passions was prodigious. Women are said to have cast forth the untimely fruit of their womb; others fell into convulsions, or sunk into such a melancholy as attended them to their grave; nay some, unmindful of themselves, as though they could not, or would not, survive their beloved prince, it is reported, suddenly fell down dead. The very pulpits were bedewed with unbidden tears, those pulpits, which had formerly thundered out the most violent imprecations and anathemas against him. And all men united in their detestation of those hypocritical parricides, who, by sanctified pretences, had so long disguised their treasons, and in this last act of iniquity had thrown an indelible stain upon the nation.

A fresh instance of hypocrisy was displayed the very day of the king's death. The generous Fairfax, not content with being absent from the trial, had used all the interest which he yet retained to

prevent the execution of the fatal sentence, and had even employed persuasion with his own regiment, though none else should follow him, to rescue the king from his disloyal murderers. Cromwell and Ireton, informed of this intention, endeavoured to convince him that the Lord had rejected the king, and they exhorted him to seek by prayer some direction from heaven on this important occasion. But they concealed from him that they had already signed the warrant for the execution. Harrison was the person appointed to join in prayer with the unwary general. By agreement he prolonged his doleful cant till intelligence arrived that the fatal blow was struck. He then rose from his knees, and insisted with Fairfax that this event was a miraculous and providential answer, which heaven had sent to their devout supplications (Herbert, p. 135).

It being remarked that the king, the moment before he stretched out his neck to the executioner, had said to Juxon, with a very earnest accent, the single word, 'Remember,' great mysteries were supposed to be concealed under that expression; and the generals vehemently insisted with the prelate that he should inform them of the king's meaning. Juxon told them that the king, having frequently charged him to inculcate on his son the forgiveness of his murderers, had taken this opportunity in the last moment of his life, when his commands, he supposed, would be regarded as sacred and inviolable, to reiterate that desire, and that his mild spirit thus terminated its present course by an act of benevolence towards his greatest enemies.

The character of this prince, as that of most men, if not of all men, was mixed, but his virtues predominated extremely above his vices, or, more properly speaking, his imperfections, for scarce any of his faults rose to that pitch as to merit the appellation of vices. To consider him in the most favourable light it may be affirmed that his dignity was free from pride, his humanity from weakness, his bravery from rashness, his temperance from austerity, his frugality from avarice: all these virtues in him maintained their proper bounds, and merited unreserved praise. To speak the most harshly of him, we may affirm that many of his good qualities were attended with some latent frailty which, though seemingly inconsiderable, was able, when seconded by the extreme malevolence of his fortune, to disappoint them of all their influence. His beneficent disposition was clouded by a manner not very gracious, his virtue was tinctured with superstition, his good sense was disfigured by a deference to persons of a capacity inferior to his own, and his moderate temper exempted him not from hasty and precipitate resolutions. He deserves the epithet of a good rather than of a great man, and was more fitted to rule in a regular established government than either to give way to the encroachments of a popular assembly, or finally, to subdue their pretensions. He wanted suppleness and dexterity sufficient for the first measure, he was not endowed with the vigour requisite for the second. Had he been born an absolute prince, his humanity and good sense had rendered his reign happy and his memory precious. Had the limitations on prerogative been in his time quite fixed and certain, his integrity had made him regard as sacred the boundaries of the constitution. Unhappily, his fate threw him into a period when the prece-

dents of many former reigns savoured strongly of arbitrary power, and the genius of the people ran violently towards liberty. And if his political prudence was not sufficient to extricate him from so perilous a situation he may be excused, since even after the event, when it is commonly easy to correct all errors, one is at a loss to determine what conduct in his circumstances could have maintained the authority of the crown and preserved the peace of the nation. Exposed without revenue, without arms to the assault of furious, implacable, and bigoted factions, it was never permitted him, but with the most fatal consequences, to commit the smallest mistake, a condition too rigorous to be imposed on the greatest human capacity.

Some historians have rashly questioned the good faith of this prince; but for this reproach, the most malignant scrutiny of his conduct, which in every circumstance is now thoroughly known, affords not any reasonable foundation. On the contrary, if we consider the extreme difficulties to which he was so frequently reduced and compare the sincerity of his professions and declarations, we shall avow that probity and honour ought justly to be numbered among his most shining qualities. In every treaty, those concessions which he thought he could not in conscience maintain he never could, by any motive or persuasion, be induced to make. And though some violations of the petition of right may perhaps be imputed to him, these are more to be ascribed to the necessity of his situation and to the lofty ideas of royal prerogative which, from former established precedents, he had imbibed, than to any failure in the integrity of his principles.¹

¹ The imputation of insincerity on Charles I like most party clamours, is difficult to be removed, though it may not here be improper to say something with regard to it. I shall first remark, that this imputation seems to be of a later growth than his own age, and that even his enemies, though they loaded him with many calumnies, did not insist on this accusation. Ludlow, I think, is almost the only parliamentarian, who imputes that vice to him, and how passionate a writer he is, must be obvious to every one. Neither Clarendon, nor any other of the royalists ever justify him from insincerity, as not supposing that he had ever been accused of it. In the second place, his deportment and character in common life was free from that vice: he was reserved, distant, stately, cold in his address, plain in his discourse, inflexible in his principles, wide of the caressing, insinuating manners of his son, or the professing, talkative humour of his father. The imputation of insincerity must be grounded on some of his public actions, which we are therefore, in the third place, to examine. The following are the only instances, which I find cited to confirm that accusation. (1) His vouching Buckingham's narrative of the transactions in Spain. But it is evident that Charles himself was deceived: why otherwise did he quarrel with Spain? The following is a passage of a letter from Lord Kensington, ambassador in France, to the Duke of Buckingham (Cabbala, p. 318). 'But his highness (the prince) had observed as great a weakness and folly as that, in that after they (the Spaniards) had used him so ill, they would suffer him to depart, which was, one of the first speeches he uttered after he came into the ship: but did he say so? said the queen (of France). Yes, madam, I will assure you, quoth I, from the witness of mine own ears. She smiled and replied, indeed I heard he was used ill. So he was, answered I, but not in his entertainment, for that was as splendid as that country could afford it, but in their frivolous delays, and in the unreasonable conditions which they propounded and pressed, upon the advantage they had of his princely person.' (2) Bishop Burnet (History of the House of Hamilton, p. 154) has preserved a letter of the king's to the Scottish bishops, in which he desires them not to be present at the parliament, where they would be forced to ratify the abolition of their own order. 'For,' adds the king, 'we do hereby assure you, that it shall be still one of our chiefest studies how to rectify and establish the government of that church aright, and to repair your losses, which we desire you to be most contented of.' And in another place, 'You may rest secure, that though perhaps we may give way for the present to that which will be prejudicial both to the church and our own government, yet we shall not leave thinking in time how to remedy both.' But does the king say, that he will arbitrarily revoke his concessions? Does not candour require us rather to suppose, that he hoped his authority would so far recover as to enable him to obtain the national consent to re-establish episcopacy, which he believed so material a part of religion as well as of government? It is not easy indeed to think how he could hope to effect this purpose in any other way than his

This prince was of a comely presence, of a sweet but melancholy aspect ; his face was regular, handsome, and well complexioned , his body strong, healthy, and justly proportioned, and, being of a middle stature, he was capable of enduring the greatest fatigues. He excelled in horsemanship and other exercises, and he possessed all the exterior, as well as many of the essential qualities, which form an accomplished prince

father had taken, that is, by consent of parliament (3) There is a passage in Lord Clarendon, where it is said, that the king assented the more easily to the bill, which excluded the bishops from the house of peers , because he thought, that that law, being enacted by force, could not be valid. But the king certainly reasoned right in that conclusion. Three-fourths of the temporal peers were at that time banished by the violence of the populace twelve bishops were unjustly thrown into the Tower by the commons great numbers of the commons themselves were kept away by fear or violence the king himself was chased from London. If all this be not force, there is no such thing. But this scruple of the king's affects only the bishops' bill, and that against pressing. The other constitutional laws had passed without the least appearance of violence, as did indeed all the bills passed during the first year, except Stafford's attainder, which could not be recalled. The parliament, therefore, even if they had known the king's sentiments in this particular, could not, on that account, have had any just foundation of jealousy (4) The king's letter, intercepted at Naseby, has been the source of much clamour. We have spoken of it already in chap lvi. Nothing is more usual in all public transactions than such distinctions. After the death of Charles II. of Spain, King William's ambassadors gave the Duke of Anjou the title of King of Spain yet at that very time King William was secretly forming alliances to dethrone him, and soon after he refused him that title, and insisted (as he had reason) that he had not acknowledged his right. Yet King William justly passes for a very sincere prince, and this transaction is not regarded as any objection to his character in that particular. In all the negotiations at the peace of Ryswick, the French ambassadors always addressed King William as king of England ; yet it was made an express article of the treaty, that the French king should acknowledge him as such. Such a palpable difference is there between giving a title to a prince, and positively recognizing his right to it. I may add, that Charles when he inserted that protestation in the council-books before his council, surely thought he had reason to justify his conduct. There were too many men of honour in that company to avow a palpable cheat. To which we may subjoin, that, if men were as much disposed to judge of this prince's actions with candour as severity, this precaution of entering a protest in his council-books might rather pass for a proof of scrupulous honour, lest he should afterwards be reproached with breach of his word, when he should think proper again to declare the assembly at Westminster no parliament (5) The denying of his commission to Glamorgan is another instance which has been cited. This matter has been already treated in a note to chap lvi. The transaction was entirely innocent. Even if the king had given a commission to Glamorgan to conclude that treaty, and had ratified it, will any reasonable man, in our age, think it strange, that, in order to save his own life, his crown, his family, his friends, and his party, he should make a treaty with papists, and grant them very large concessions for their religion (6) There is another of the king's intercepted letters to the queen commonly mentioned, where, it is pretended, he talked of raising and then destroying Cromwell but that story stands on no manner of foundation, as we have observed in a preceding note to this chapter. In a word, the parliament, after the commencement of their violence, and still more, after beginning the civil war, had reason for their scruples and jealousies, founded on the very nature of their situation, and on the general propensity of the human mind, not on any fault of the king's character, who was candid, sincere, upright, as much as any man, whom we meet with in history. Perhaps it would be difficult to find another character so unexceptionable in this particular.

As to the other circumstances of Charles's character, chiefly exclaimed against namely : as arbitrary principles in government, one may venture to assert, that the greatest enemies of this prince will not find, in the long line of his predecessors, from the Conquest to his time, any one king, except perhaps his father, whose administration was not more arbitrary and less legal, or whose conduct could have been recommended to him, by the popular party themselves, as a model, in this particular for his government. Nor is it sufficient to say, that example and precedent can never authorise vices examples and precedents, uniform and ancient, can surely fix the nature of any constitution, and the limits of any form of government. There is indeed no other principle by which those landmarks or boundaries can be settled.

What a paradox in human affairs, that Henry VIII. should have been almost adored in his lifetime, and his memory be respected, while Charles I. should, by the same people, at no greater distance than a century, have been led to a public and ignominious execution, and his name be ever after pursued by falsehood and by obloquy ! Even at present, an historian, who, prompted by his courageous generosity, should venture, though from the most authentic and undisputed facts, to vindicate the fame of that prince, would be sure to meet with such treatment, as would discourage even the boldest from so dangerous, however splendid an enterprise.

The tragical death of Charles begat a question, whether the people in any case were entitled to judge and punish their sovereign, and most men, regarding chiefly the atrocious usurpation of the pretended judges, and the merit of the virtuous prince who suffered, were inclined to condemn the republican principle as highly seditious and extravagant, but there still were a few who, abstracting from the particular circumstances of this case, were able to consider the question in general, and were inclined to moderate, not contradict, the prevailing sentiment. Such might have been their reasoning. If ever, on any occasion, it were laudable to conceal truth from the populace it must be confessed that the doctrine of resistance affords such an example; and that all speculative reasoners ought to observe with regard to this principle the same cautious silence which the laws, in every species of government, have ever prescribed to themselves. Government is instituted in order to restrain the fury and injustice of the people, and being always founded on opinion, not on force, it is dangerous to weaken, by these speculations, the reverence which the multitude owe to authority, and to instruct them beforehand, that the case can ever happen, when they may be freed from their duty of allegiance. Or should it be found impossible to restrain the licence of human disquisitions, it must be acknowledged, that the doctrine of obedience ought alone to be inculcated, and that the exceptions, which are rare, ought seldom or never to be mentioned in popular reasonings and discourses. Nor is there any danger, that mankind, by this prudent reserve, should universally degenerate into a state of abject servitude. When the exception really occurs, even though it be not previously expected and descanted on, it must, from its very nature, be so obvious and undisputed, as to remove all doubt, and overpower the restraint, however great, imposed by teaching the general doctrine of obedience. But between resisting a prince and dethroning him, there is a wide interval, and the abuses of power, which can warrant the latter violence, are greater and more enormous, than those which will justify the former. History, however, supplies us with examples even of this kind, and the reality of the supposition, though, for the future, it ought ever to be little looked for, must, by all candid enquirers, be acknowledged in the past. But between dethroning a prince and punishing him, there is another very wide interval, and it were not strange, if even men of the most enlarged thought should question, whether human nature could ever in any monarch, reach that height of depravity, as to warrant, in revolted subjects, this last act of extraordinary jurisdiction. That illusion, if it be an illusion, which teaches us to pay a sacred regard to the persons of princes, is so salutary, that to dissipate it by the formal trial and punishment of a sovereign, will have more pernicious effects upon the people, than the example of justice can be supposed to have a beneficial influence upon princes, by checking their career of tyranny. It is dangerous also, by these examples, to reduce princes to despair, or bring matters to such extremities against persons endowed with great power, as to leave them no resource, but in the most violent and most sanguinary counsels. This general position being established, it must however be observed, that no reader, almost of any party or principle, was ever shocked, when he read, in ancient history, that the Roman

senate voted Nero, their absolute sovereign, to be a public enemy, and even without trial, condemned him to the severest and most ignominious punishment, a punishment from which the meanest Roman citizen was, by the laws, exempted. The crimes of that bloody tyrant are so enormous, that they break through all rules, and extort a confession, that such a dethroned prince is no longer superior to his people, and can no longer plead, in his own defence, laws, which were established for conducting the ordinary course of administration. But when we pass from the case of Nero to that of Charles, the great disproportion, or rather total contrariety, of character immediately strikes us, and we stand astonished, that, among a civilised people, so much virtue could ever meet with so fatal a catastrophe. History, the great mistress of wisdom, furnishes examples of all kinds, and every prudential, as well as moral precept, may be authorised by those events, which her enlarged mirror is able to present to us. From the memorable revolutions which passed in England during this period, we may naturally deduce the same useful lesson, which Charles himself, in his later years, inferred, that it is dangerous for princes, even from the appearance of necessity, to assume more authority than the laws have allowed them. But it must be confessed, that these events furnish us with another instruction, no less natural, and no less useful, concerning the madness of the people, the furies of fanaticism, and the danger of mercenary armies.

In order to close this part of British history it is also necessary to relate the dissolution of the monarchy in England that event soon followed upon the death of the monarch. When the peers met, on the day appointed in their adjournment, they entered upon business, and sent down some votes to the commons, of which the latter deigned not to take the least notice. In a few days, the lower house passed a vote, that they would make no more addresses to the house of peers, nor receive any from them, and that that house was useless and dangerous, and was therefore to be abolished. A like vote passed with regard to the monarchy, and it is remarkable, that Martin, a zealous republican, in the debate on this question, confessed, that if they desired a king, the last was as proper as any gentleman in England (Walker, *Hist. of Indep.* part 2). The commons ordered a new great seal to be engraved, on which that assembly was represented, with this legend, 'On the first year of freedom, by God's blessing, restored, 1648.' The forms of all public business were changed, from the king's name, to that of the keepers of the liberties of England¹. And it was declared high treason to proclaim, or any otherwise acknowledge Charles Stuart, commonly called Prince of Wales.

The commons intended, it is said, to bind the Princess Elizabeth apprentice to a button-maker. The Duke of Gloucester was to be taught some other mechanical employment. But the former soon died, of grief, as is supposed, for her father's tragical end. The latter was, by Cromwell, sent beyond sea.

The king's statue, in the Exchange, was thrown down, and on the

¹ The Court of King's Bench was called the Court of Public Bench. So cautious on this head were some of the republicans, that, it is pretended, in reciting the Lord's prayer, they would not say *thy kingdom come*, but always *thy commonwealth come*.

pedestal these words were inscribed '*Exit tyrannus, regum ultimus;*' The tyrant is gone, the last of the kings.

The Duke of Hamilton was tried by a new high court of justice, as Earl of Cambridge in England, and condemned for treason. This sentence, which was certainly hard, but which ought to save his memory from all imputations of treachery to his master, was executed on a scaffold, erected before Westminster Hall. Lord Capel underwent the same fate. Both these noblemen had escaped from prison, but were afterwards discovered and taken. To all the solicitations of their friends for pardon, the generals and parliamentary leaders still replied, that it was certainly the intention of Providence they should suffer, since it had permitted them to fall into the hands of their enemies, after they had once recovered their liberty.

The Earl of Holland lost his life by a like sentence. Though of a polite and courtly behaviour, he died lamented by no party. His ingratitude to the king, and his frequent changing of sides, were regarded as great stains on his memory. The Earl of Norwich and Sir John Owen, being condemned by the same court, were pardoned by the commons.

The king left six children, three males, Charles, born in 1630, James Duke of York, born in 1633, Henry Duke of Gloucester, born in 1641, and three females, Mary Princess of Orange, born 1631, Elizabeth, born 1635, and Henrietta, afterwards Duchess of Orleans, born at Exeter 1644.

The Archbishops of Canterbury in this reign were Abbot and Laud: the Lord Keepers, Williams, Bishop of Lincoln, Lord Coventry, Lord Finch, Lord Littleton, and Sir Richard Lane, the High Admirals, the Duke of Buckingham and the Earl of Northumberland; the Treasurers, the Earl of Marlborough, the Earl of Portland, Juxon, Bishop of London, and Lord Cottington, the Secretaries of State, Lord Conway, Sir Albertus Moreton, Coke, Sir Henry Vane, Lord Falkland, Lord Digby, and Sir Edward Nicolas.

It may be expected, that we should here mention the '*Icon Basilicé*,' a work published in the king's name a few days after his execution. It seems almost impossible, in the controverted parts of history, to say anything which will satisfy the zealots of both parties: but with regard to the genuineness of that production, it is not easy for an historian to fix any opinion, which will be entirely to his own satisfaction. The proofs brought to evince, that this work is or is not the king's, are so convincing, that, if an impartial reader pursue any one side apart,¹ he will think it impossible, that arguments could be produced, sufficient to counterbalance so strong an evidence: and when he compares both sides, he will be sometimes at a loss to fix any determination. Should an absolute suspense of judgment be found difficult or disagreeable in so interesting a question, I must confess, that I much incline to give the preference to the arguments of the royalists. The testimonies,

¹ See on the one hand, Toland's *Amyntor* and on the other, Wagstaffe's vindication of the royal martyr, with Young's addition. We may remark, that Lord Clarendon's total silence with regard to this subject, in so full a history, composed in vindication of the king's measures and character, forms a presumption on Toland's side, and a presumption of which that author was ignorant, the works of the noble historian not being then published. Bishop Burnet's testimony too must be allowed some weight against the *Icon*.

which prove that performance to be the king's, are more numerous, certain, and direct, than those on the other side. This is the case, even if we consider the external evidence but when we weigh the internal, derived from the style and composition, there is no manner of comparison. These meditations resemble, in elegance, purity, neatness, and simplicity, the genius of those performances, which we know with certainty to have flowed from the royal pen but are so unlike the bombast, perplexed, rhetorical, and corrupt style of Dr Gauden, to whom they are ascribed, that no human testimony seems sufficient to convince us, that he was the author. Yet all the evidences, which would rob the king of that honour, tend to prove, that Dr Gauden had the merit of writing so fine a performance, and the infamy of imposing it on the world for the king's.

It is not easy to conceive the general compassion excited towards the king, by the publishing, at so critical a juncture, a work so full of piety, meekness, and humanity. Many have not scrupled to ascribe to that book the subsequent restoration of the royal family. Milton compares its effects to those which were wrought on the tumultuous Romans by Anthony's reading to them the will of Cæsar. The 'Icon' passed through fifty editions in a twelvemonth, and independent of the great interest taken in it by the nation, as the supposed production of their murdered sovereign, it must be acknowledged the best prose composition, which, at the time of its publication, was to be found in the English language.

CHAPTER LX.

THE COMMONWEALTH.

State of England—of Scotland—of Ireland—Levellers suppressed—Siege of Dublin raised—Tredah stormed—Covenanters—Montrose taken prisoner—executed—Covenanters—Battle of Dunbar—of Worcester—King's escape—The commonwealth—Dutch war—Dissolution of the parliament.

THE confusions which (1649) overspread England after the murder of Charles I. proceeded as well from the spirit of refinement and innovation, which agitated the ruling party, as from the dissolution of all that authority, both civil and ecclesiastical, by which the nation had ever been accustomed to be governed. Every man had framed the model of a republic, and, however new it was, or fantastical, he was eager in recommending it to his fellow-citizens, or even imposing it by force upon them. Every man had adjusted a system of religion, which being derived from no traditional authority, was peculiar to himself, and being founded on supposed inspiration, not on any principles of human reason, had no means, besides cant and low rhetoric, by which it could recommend itself to others. The levellers insisted on an equal distribution of power and property, and disclaimed all dependence and subordination. The millenarians or fifth-monarchy-

men required, that government itself should be abolished, and all human powers be laid in the dust, in order to pave the way for the dominion of Christ, whose second coming they suddenly expected. The Antinomians even insisted, that the obligations of morality and natural law were suspended, and that the elect, guided by an internal principle, more perfect and divine, were superior to the 'beggarly elements' of justice and humanity. A considerable party declaimed against tithes and hireling priesthood, and were resolved, that the magistrate should not support by power or revenue any ecclesiastical establishment. Another party inveighed against the law and its professors; and on pretence of rendering more simple the distribution of justice, were desirous of abolishing the whole system of English jurisprudence, which seemed interwoven with monarchical government. Even those among the republicans, who adopted not such extravagances, were so intoxicated with their saintly character, that they supposed themselves possessed of peculiar privileges, and all professions, oaths, laws, and engagements had, in a great measure, lost their influence over them. The bands of society were every where loosened, and the irregular passions of men were encouraged by speculative principles, still more unsocial and irregular.

The royalists, consisting of the nobles and more considerable gentry, being degraded from their authority and plundered of their property, were inflamed with the highest resentment and indignation against those ignoble adversaries, who had reduced them to subjection. The presbyterians, whose credit had first supported the arms of the parliament, were enraged to find that, by the treachery or superior cunning of their associates, the fruits of all their successful labours were ravished from them. The former party, from inclination and principle, zealously attached themselves to the son of their unfortunate monarch, whose memory they respected, and whose tragical death they deplored. The latter cast their eye towards the same object, but they had still many prejudices to overcome, many fears and jealousies to be allayed, ere they could cordially entertain thoughts of restoring the family, which they had so grievously offended, and whose principles they regarded with such violent abhorrence.

The only solid support of the republican independent faction, which, though it formed so small a part of the nation, had violently usurped the government of the whole, was a numerous army of near 50,000 men. But this army, formidable from its discipline and courage, as well as its numbers, was actuated by a spirit that rendered it dangerous to the assembly, which had assumed the command over it. Accustomed to indulge every chimera in politics, every frenzy in religion, the soldiers knew little of the subordination of citizens, and had only learned, from apparent necessity, some maxims of military obedience. And while they still maintained, that all those enormous violations of law and equity, of which they had been guilty, were justified by the success with which Providence had blessed them, they were ready to break out into any new disorder, wherever they had the prospect of a like sanction and authority.

What alone gave some stability to all these unsettled humours, was the great influence, both civil and military, acquired by Oliver Crom-

well. This man, suited to the age in which he lived, and to that alone, was equally qualified to gain the affection and confidence of men, by what was mean, vulgar, and ridiculous in his character, as to command their obedience by what was great, daring, and enterprising. Familiar even to buffoonery with the meanest sentinel, he never lost his authority transported to a degree of madness with religious ecstasies, he never forgot the political purposes, to which they might serve. Hating monarchy, while a subject, despising liberty, while a citizen, though he retained for a time all orders of men under a seeming obedience to the parliament, he was secretly paving the way, by artifice and courage, to his own unlimited authority.

The parliament, for so we must henceforth call a small and inconsiderable part of the house of commons, having murdered their sovereign with so many appealing circumstances of solemnity and justice, and so much real violence and even fury, began to assume more the air of a civil, legal power, and to enlarge a little the narrow bottom upon which they stood. They admitted a few of the excluded and absent members, such as were liable to least exception, but on condition, that these members should sign an approbation of whatever had been done in their absence with regard to the king's trial and some of them were willing to acquire a share of power on such terms. The greater part disdained to lend their authority to such apparent usurpations. They issued some writs for new elections, in places where they hoped to have interest enough to bring in their own friends and dependants. They named a council of state, thirty-eight in number, to whom all addresses were made, who gave orders to all generals and admirals, who executed the laws, and who digested all business before it was introduced into parliament.¹ They pretended to employ themselves entirely in adjusting the laws, forms, and plan of a new representative, as soon as they should have settled the nation, they professed their intention of restoring the power of the people, from whom, they acknowledged, they had entirely derived it.

The commonwealth found every thing in England composed into a seeming tranquillity by the terror of their arms. Foreign powers, occupied in wars among themselves, had no leisure or inclination to interpose in the domestic dissensions of this island. The young king, poor and neglected, living sometimes in Holland, sometimes in France, sometimes in Jersey, comforted himself, amidst his present distresses, with the hopes of better fortune. The situation alone of Scotland and Ireland gave any immediate inquietude to the new republic.

After the successive defeats of Montrose and Hamilton, and the ruin of their parties, the whole authority in Scotland fell into the hands of Argyle and the rigid churchmen, that party which was most averse to the interests of the royal family. Their enmity, however, against the independents, who had prevented the settlement of presbyterian discipline in England, carried them to embrace opposite maxims in their political conduct. Though invited by the English parliament

¹ Their names were the Earls of Denbigh, Mulgrave, Pembroke, Salisbury, Lords Grey and Fairfax, Lisle, Rolls, St John, Wilde, Bradshaw, Cromwell, Skippon, Pickering, Massam, Haselrig, Harrington, Vane, jun., Danvers, Armine, Mildmay, Constable, Pennington, Wilson, Whitlocke, Martin, Ludlow, Stapleton, Hovingham, Wallop, Hutchinson, Bond, Popham, Valentune, Walton, Scot, Purefoy, Jones

to model their government into a republican form, they resolved still to adhere to monarchy, which had ever prevailed in their country, and which, by the express terms of their covenant, they had engaged to defend. They considered besides, that as the property of the kingdom lay mostly in the hands of great families, it would be difficult to establish a commonwealth, or without some chief magistrate, invested with royal authority, to preserve peace or justice in the community. The execution, therefore, of the king, against which they had always protested, having occasioned a vacancy of the throne, they immediately proclaimed his son and successor, Charles II; but upon condition 'of his good behaviour and strict observance of the 'covenant, and his entertaining no other persons about him but such 'as were godly men and faithful to that obligation.' These unusual clauses, inserted in the very first acknowledgment of their prince, sufficiently showed their intention of limiting extremely his authority. And the English commonwealth, having no pretence to interpose in the affairs of that kingdom, allowed the Scots, for the present, to take their own measures in settling their government.

The dominion, which England claimed over Ireland, demanded more immediately their efforts for subduing that country. In order to convey a just notion of Irish affairs, it will be necessary to look backwards some years, and to relate briefly those transactions, which had past during the memorable revolutions in England. When the late king agreed to that cessation of arms with the Popish rebels (1643), which was become so requisite, as well for the security of the Irish protestants as for promoting his interests in England, the parliament, in order to blacken his conduct, reproached him with favouring that odious rebellion, and exclaimed loudly against the terms of the cessation. They even went so far as to declare it entirely null and invalid, because finished without their consent; and to this declaration the Scots in Ulster, and the Earl of Inchiquin, a nobleman of great authority in Munster, professed to adhere. By their means, the war was still kept alive, but as the dangerous distractions in England hindered the parliament from sending any considerable assistance to their allies in Ireland, the Marquis of Ormond, lord lieutenant, being a native of Ireland, and a person endowed with great prudence and virtue, formed a scheme for composing the disorders of his country and for engaging the rebel Irish to support the cause of his royal master. There were many circumstances which strongly invited the natives of Ireland to embrace the king's party. The maxims of that prince had always led him to give a reasonable indulgence to the catholics throughout all his dominions, and one principal ground of that enmity, which the puritans professed against him, was this tacit toleration. The parliament, on the contrary, even when unprovoked, had ever menaced the papists with the most rigid restraint, if not a total extirpation, and immediately after the commencement of the Irish rebellion, they put to sale all the estates of the rebels, and had engaged the public faith for transferring them to the adventurers, who had already advanced money upon that security. The success, therefore, which the arms of the parliament met with at Naseby, struck a just terror into the Irish; and engaged the council of Kil-

kenny, composed of deputies from all the catholic counties and cities, to conclude a peace with the Marquess of Ormond (1646) They professed to return to their duty and allegiance, engaged to furnish ten thousand men for the support of the king's authority in England, and were content with stipulating, in return, indemnity for their rebellion and toleration of their religion

Ormond not doubting but a peace, so advantageous and even necessary to the Irish, would be strictly observed, advanced with a small body of troops to Kilkenny, in order to concert measures for common defence with his new allies The pope had sent over to Ireland a nuncio, Rinuccini, an Italian, and this man, whose commission empowered him to direct the spiritual concerns of the Irish, was emboldened, by their ignorance and bigotry, to assume the chief authority in the civil government. Foreseeing that a general submission to the lord lieutenant would put an end to his own influence, he conspired with Owen O'Neal, who commanded the native Irish in Ulster, and who bore a great jealousy to Preston, the general chiefly trusted by the council of Kilkenny. By concert, these two malcontents secretly drew forces together, and were ready to fall on Ormond, who remained in security, trusting to the pacification so lately concluded with the rebels He received intelligence of their treachery, made his retreat with celerity and conduct, and sheltered his small army in Dublin and the other fortified towns, which still remained in the hands of the protestants

The nuncio, full of arrogance, levity, and ambition, was not contented with this violation of treaty He summoned an assembly of the clergy at Waterford, and engaged them to declare against that pacification, which the civil council had concluded with their sovereign He even thundered out a sentence of excommunication against all who should adhere to a peace, so prejudicial, as he pretended, to the catholic religion; and the deluded Irish, terrified with his spiritual menaces, ranged themselves everywhere on his side, and submitted to his authority Without scruple, he carried on war against the lord-lieutenant, and threatened with a siege the protestant garrisons, which were, all of them, very ill provided for defence

Meanwhile, the unfortunate king was necessitated to take shelter in the Scottish army, and being there reduced to close confinement, and secluded from all commerce with his friends, despaired, that his authority, or even his liberty, would ever be restored to him He sent orders to Ormond, if he could not defend himself, rather to submit to the English than to the Irish rebels, and accordingly the lord-lieutenant, being reduced to extremities, delivered up Dublin, Tredah, Dundalk, and other garrisons, to Colonel Michael Jones, who took possession of them in the name of the English parliament Ormond himself went over to England, was admitted into the king's presence, received a grateful acknowledgement for his past services, and during some time lived in tranquillity near London. But being banished, with the other royalists, to a distance from that city, and seeing every event turn out unfortunately for his royal master, and threaten him with a catastrophe still more direful, he thought proper to retire into France, where he joined the Queen and the Prince of Wales

In Ireland, during these transactions, the authority of the nuncio prevailed without control among all the catholics, and that prelate, by his indiscretion and insolence, soon made them repent of the power with which they had entrusted him. Prudent men likewise were sensible of the total destruction which was hanging over the nation from the English parliament, and saw no resource or safety but in giving support to the declining authority of the king. The Earl of Clanricarde, a nobleman of an ancient family, a person too of merit, who had ever preserved his loyalty, was sensible of the ruin which threatened his countrymen, and was resolved, if possible, to prevent it. He secretly formed a combination among the catholics, he entered into a correspondence with Inchiquin, who preserved great authority over the protestants in Munster, he attacked the nuncio, whom he chased out of the island, and he sent to Paris a deputation, inviting the lord-lieutenant to return and take possession of his government.

Ormond, on his arrival in Ireland, found the kingdom divided into many factions, among which either open war or secret enmity prevailed. The authority of the English parliament was established in Dublin, and the other towns, which he himself had delivered into their hands. O'Neal maintained his credit in Ulster, and having entered into a secret correspondence with the parliamentary generals, was more intent on schemes for his own personal safety than anxious for the preservation of his country or religion. The other Irish, divided between their clergy, who were averse to Ormond, and their nobility, who were attached to him, were very uncertain in their motions and feeble in their measures. The Scots, in the north, enraged, as well as their other countrymen, against the usurpations of the sectarian army, professed their adherence to the king; but were still hindered by many prejudices from entering into a cordial union with his lieutenant. All these distracted councils and contrary humours checked the progress of Ormond, and enabled the parliamentary forces in Ireland to maintain their ground against him. The republican faction, meanwhile, in England, employed in subduing the revolted royalists, in reducing the parliament to subjection, in the trial, condemnation, and execution of their sovereign, totally neglected the supplying of Ireland, and allowed Jones and the forces in Dublin to remain in the utmost weakness and necessity. The lord lieutenant, though surrounded with difficulties, neglected not the favourable opportunity of promoting the royal cause. Having at last assembled an army of 16,000 men, he advanced upon the parliamentary garrisons. Dundalk, where Monk commanded, was delivered up by the troops, who mutinied against their governor. Tredah, Newry, and other forts, were taken. Dublin was threatened with a siege; and the affairs of the lieutenant appeared in so prosperous a condition, that the young king entertained thoughts of coming in person into Ireland.

When the English commonwealth was brought to some tolerable settlement, men began to cast their eyes towards the neighbouring island. During the contest of the two parties, the government of Ireland had remained a great object of intrigue, and the presbyterians endeavoured to obtain the lieutenantancy for Waller, the independents for Lambert. After the execution of the king, Cromwell himself

began to aspire to a command, where so much glory, he saw, might be won, and so much authority acquired. In his absence, he took care to (15 Mar.) have his name proposed to the council of state; and both friends and enemies concurred immediately to vote him into that important office. The former suspected that the matter had not been proposed merely by chance, without his own concurrence; the latter desired to remove him to a distance, and hoped, during his absence, to gain the ascendant over Fairfax, whom he had so long blinded by his hypocritical professions. Cromwell himself, when informed of his election, feigned surprise, and pretended at first to hesitate with regard to the acceptance of the command. And Lambert, either deceived by his dissimulation, or in his turn feigning to be deceived, still continued, notwithstanding this disappointment, his friendship and connexions with Cromwell.

The new lieutenant immediately applied himself with his wonted vigilance to make preparations for his expedition. Many disorders in England it behoved him previously to compose. All places were full of danger and inquietude. Though men, astonished with the successes of the army, remained in seeming tranquillity, symptoms of the greatest discontent everywhere appeared. The English, long accustomed to a mild administration, and unacquainted with dissimulation, could not conform their speech and countenance to the present necessity, or pretend attachment to a form of government which they generally regarded with such violent abhorrence. It was requisite to change the magistracy of London, and to degrade, as well as punish, the mayor and some of the aldermen, before the proclamation for the abolition of monarchy could be published in the city. An engagement being framed to support the commonwealth without king or house of peers, the army was with some difficulty brought to subscribe it; but though it was imposed upon the rest of the nation under severe penalties, no less than putting all who refused out of the protection of law, such obstinate reluctance was observed in the people, that even the imperious parliament was obliged to desist from it. The spirit of fanaticism, by which that assembly had at first been strongly supported, was now turned, in a great measure, against them. The pulpits, being chiefly filled with presbyterians, or disguised royalists, and having long been the scene of news and politics, could by no penalties be restrained from declarations unfavourable to the established government. Numberless were the extravagances which broke out among the people. Everard, a disbanded soldier, having preached that the time was now come when the community of goods would be renewed among Christians, led out his followers to take possession of the land, and being carried before the general, he refused to salute him, because he was but his fellow-creature (Whitlocke). What seemed more dangerous the army itself was infected with like humours.¹ Though the levellers

¹ The following instance of extravagance is given by Walker, in his History of Independence, part ii. p. 152. About this time, there came six soldiers into the parish church of Walton-upon-Thames, near twilight. Mr. Faucet, the preacher there, not having till then ended his sermon. One of the soldiers had a lanthorn in his hand, and a candle burning in it, and in the other hand four candles not lighted. He desired the parishioners to stay awhile, saying he had a message from God unto them, and thereupon offered to go into the pulpit. But the people refusing to give him leave so to do, or to stay in the church, he went into the

had for a time been suppressed by the audacious spirit of Cromwell, they still continued to propagate their doctrines among the private men and inferior officers, who pretended a right to be consulted, as before, in the administration of the commonwealth. They now practised against their officers the same lesson which they had been taught against the parliament. They framed a remonstrance, and sent five agitators to present it to the general and council of war: these were cashiered with ignominy by sentence of a court-martial. One Lockier, having carried his sedition farther, was sentenced to death, but this punishment was so far from quelling the mutinous spirit, that above a thousand of his companions showed their adherence to him, by attending his funeral, and wearing in their hats black and sea-green ribbons by way of favours. About 4000 assembled at Burford, under the command of Thomson, a man formerly condemned for sedition by a court-martial, but pardoned by the general. Colonel Reynolds, and afterwards (May) Fairfax and Cromwell, fell upon them, while unprepared for defence, and seduced by the appearance of a treaty. Four hundred were taken prisoners: some of them capitally punished: the rest pardoned: and this tumultuous spirit, though it still lurked in the army, and broke out from time to time, seemed for the present to be suppressed.

Petitions, framed in the same spirit of opposition, were presented to the parliament by Lieutenant-Colonel Lilburn, the person who, for dispersing seditious libels, had formerly been treated with such severity by the star-chamber. His liberty was at this time as ill-relished by the parliament, and he was thrown into prison, as a promoter of sedition and disorder in the Commonwealth. The women applied by petition for his release, but were now desired to mind their household affairs, and leave the government of the state to the men. From all quarters the parliament was harassed with petitions of a very free nature, which strongly spoke the sense of the nation, and proved how ardently all men longed for the restoration of their laws and liberties. Even in a feast, which the city gave to the parliament and council of state, it was deemed a requisite precaution, if we may credit Walker and Dugdale, to swear all the cooks, that they would serve nothing but wholesome food to them.

churchyard, and there told them, that he had a vision wherein he had received a command from God, to deliver his will unto them, which he was to deliver, and they to receive upon pain of damnation, consisting of five lights. (1) 'That the Sabbath was abolished as unnecessary, Jewish, and merely ceremonial. And here (quoth he) I should put out the first light, but the wind is so high I cannot kindle it.' (2) 'That tithes are abolished as Jewish and ceremonial, a great burthen to the saints of God, and a discouragement of industry and tillage. And here I shall put out my second light, &c.' (3) 'That ministers are abolished as antichristian, and of no longer use, now Christ himself descends into the hearts of his saints, and his spirit enlighteneth them with revelations and inspirations. And here I should put out my third light, &c.' (4) 'Magistrates are abolished as useless, now that Christ himself is in purity amongst us, and hath erected the kingdom of the saints upon earth. Besides, they are tyrants, and oppressors of the liberty of the saints, and tie them to laws and ordinances, mere human inventions. And here I should put out my fourth light, &c.' (5) 'Then putting his hand into his pocket, and pulling out a little Bible, he showed it open to the people, saying, here is a book you have in great veneration, consisting of two parts, the Old and New Testament. I must tell you it is abolished, it containeth beggarly rudiments, milk for babes: but now Christ is in glory amongst us, and imparts a farther measure of his spirit to his saints than this can afford. I am commanded to burn it before your face. Then putting out the candle, he said, 'and here my fifth light is extinguished.' It became a pretty common doctrine at that time, that it was unworthy of a christian man to pay rent to his fellow creatures, and landlords were obliged to use all the penalties of law against their tenants, whose conscience was scrupulous.

The parliament judged it necessary to enlarge the laws of high treason beyond those narrow bounds, within which they had been confined during the monarchy. They even comprehended verbal offences, nay intentions, though they had never appeared in any overt act against the state. To affirm the present government to be an usurpation, to assert that the parliament or council of state were tyrannical or illegal, to endeavour subverting their authority, or stirring up sedition against them, these offences were declared to be high treason. The power of imprisonment, of which the petition of right had bereaved the king, it was now found necessary to restore to the council of state; and all the jails in England were filled with men whom the jealousies and fears of the ruling party had represented as dangerous (*Hist of Independ. part II. pp 135, 176*). The taxes, continued by the new government, and which, being unusual, were esteemed heavy, increased the general ill-will under which it laboured. Besides the customs and excise, ninety thousand pounds a month were levied on land for the subsistence of the army. The sequestrations and compositions of the royalists, the sale of the crown lands, and of the dean and chapter lands, though they yielded great sums, were not sufficient to support the vast expenses, and, as was suspected, the great depredations of the parliament and of their creatures (*Parl Hist vol XIX*)

Amidst all these difficulties and disturbances the steady mind of Cromwell, without confusion or embarrassment, still pursued its purpose. While he was collecting an army of 12,000 men in the west of England, he sent to Ireland, under Reynolds and Venables, a reinforcement of 4,000 horse and foot, in order to strengthen Jones, and enable him to defend himself against the Marquis of Ormond, who lay at Finglass, and was making preparations for the attack of Dublin. Inchiquin, who had now made a treaty with the king's lieutenant, having, with a separate body, taken Tredah and Dundalk, gave a defeat to O'Farrell, who served under O'Neal, and to young Coote, who commanded some parliamentary forces. After he had joined his troops to the main army, with whom for some time he remained united, Ormond passed the river Liffey, and took post at Rathmines, two miles from Dublin, with a view of commencing the siege of that city. In order to cut off all further supply from Jones, he had begun the reparation of an old fort which lay at the gates of Dublin, and being exhausted with continual fatigue for some days, he had retired to rest, after leaving orders to keep his forces under arms. He was (Aug 20) suddenly awaked with the noise of firing, and, starting from his bed, saw everything already in tumult and confusion. Jones, an excellent officer, formerly a lawyer, had sallied out with the reinforcement newly arrived, and, attacking the party employed in repairing the fort, he totally routed them, pursued the advantage, and fell in with the army, which had neglected Ormond's orders. These he soon threw into disorder, put them to flight, in spite of all the efforts of the lord lieutenant, chased them off the field, seized all their tents, baggage, ammunition, and returned victorious to Dublin, after killing 1,000 men, and taking above 2,000 prisoners (*Parl. Hist. vol. XIX. p. 165*).

This loss, which threw some blemish on the military character of Ormond, was irreparable to the royal cause. The numerous army which, with so much pains and difficulty, the lord lieutenant had been collecting for more than a year, was dispersed in a moment. Cromwell (August 15) soon after arrived in Dublin, where he was welcomed with shouts and rejoicings. He hastened to Tredah. That town was well fortified, Ormond had thrown into it a good garrison of 3,000 men, under Sir Arthur Aston, an officer of reputation. He expected that Tredah, lying in the neighbourhood of Dublin, would first be attempted by Cromwell, and he was desirous to employ the enemy some time in that siege, while he himself should repair his broken forces. But Cromwell knew the importance of despatch. Having made a breach, he (Sept) ordered a general assault. Though twice repulsed with loss, he renewed the attack, and himself, along with Ireton, led on his men. All opposition was overborne by the furious valour of the troops. The town was taken sword in hand; and orders being issued to give no quarter, a cruel slaughter was made of the garrison. Even a few who were saved by the soldiers, satiated with blood, were next day miserably butchered by orders from the general. One person alone of the garrison escaped to be a messenger of this universal havoc and destruction.

Cromwell pretended to retaliate by this severe execution the cruelty of the Irish massacre. But he well knew that almost the whole garrison was English, and his justice was only a barbarous policy, in order to terrify all other garrisons from resistance. His policy, however, had the desired effect. Having led the army without delay to Wexford, he began to batter the town. The garrison, after a slight defence, offered to capitulate, but before they obtained a cessation, they imprudently neglected their guards, and the English army rushed in upon them. The same severity was exercised as at Tredah.

Every town before which Cromwell presented himself, now opened its gate without resistance. Ross, though strongly garrisoned, was surrendered by Lord Taffe. Having (Oct) taken Estionage, Cromwell threw a bridge over the Barrow, and made himself master of Passage and Carrick. The English had no further difficulties to encounter than what arose from fatigue and the advanced season. Fluxes and contagious distempers crept in among the soldiers, who perished in great numbers. Jones himself, the brave governor of Dublin, died at Wexford. And Cromwell had so far advanced with his decayed army that he began to find it difficult, either to submit in the enemy's country, or retreat to his own garrisons. But while he was in these straits, Cork, Kinsale, and all the English garrisons in Munster, deserted (Nov) to him, and opening their gates, resolved to share the fortunes of their victorious countrymen.

This desertion of the English put an end to Ormond's authority, which was already much diminished by the misfortunes at Dublin, Tredah, and Wexford. The Irish, actuated by national and religious prejudices, could no longer be kept in obedience by a protestant governor, who was so unsuccessful in all his enterprises. The clergy renewed their excommunications against him and his adherents, and added the terrors of superstition to those which arose from a victorious

enemy. Cromwell, having received a reinforcement from England, again took the field early in the spring. He made himself master of Kilkenny and Clonmel, the only places where he met with any vigorous resistance. The whole frame of the Irish union being in a manner dissolved, Ormond, soon after, left the island, and delegated his authority to Clanricarde, who found affairs so desperate as to admit of no remedy. The Irish were glad to embrace banishment as a refuge. Above 40,000 men passed into foreign service, and Cromwell, well-pleased to free the island from enemies, who never could be cordially reconciled to the English, gave them full liberty for their embarkation.

While Cromwell proceeded with such uninterrupted success in Ireland, which in the space of nine months he had almost entirely subdued, fortune was preparing for him a new scene of victory and triumph in Scotland. Charles was at the Hague when Sir Joseph Douglas brought him intelligence that he was proclaimed king by the Scottish parliament. At the same time, Douglas informed him of the hard conditions annexed to the proclamation, and extremely damped that joy, which might arise from his being recognised sovereign in one of his kingdoms. Charles too considered, that those who pretended to acknowledge his title, were at that very time in actual rebellion against his family, and would be sure to intrust very little authority in his hands, and scarcely would afford him personal liberty and security. As the prospect of affairs in Ireland was at that time not unpromising, he intended rather to try his fortune in that kingdom, from which he expected more dutiful submission and obedience.

Meanwhile he found it expedient to depart from Holland. The people in the United Provinces were much attached to his interests. Besides his connexion with the family of Orange, which was extremely beloved by the populace, all men regarded with compassion his helpless condition, and expressed the greatest abhorrence against the murder of his father, a deed to which nothing, they thought, but the rage of fanaticism and faction could have impelled the parliament. But though the public in general bore great favour to the king, the States were uneasy at his presence. They dreaded the parliament, so formidable by their power, and so prosperous in all their enterprises. They apprehended the most precipitate resolutions from men of such violent and haughty dispositions. And, after the murder of Dorislaus, they found it still more necessary to satisfy the English commonwealth, by removing the king to a distance from them.

Dorislaus, though a native of Holland, had lived long in England; and being employed as assistant to the high court of justice, which condemned the late king, he had risen to great credit and favour with the ruling party. They sent him envoy to Holland, but no sooner had he arrived at the Hague, than he was set upon by some royalists, chiefly retainers to Montrose. They rushed into the room, where he was sitting with some company, dragged him from the table, put him to death as the first victim to their murdered sovereign, very leisurely and peaceably separated themselves; and though orders were issued by the magistrates to arrest them, these were executed with such slowness and reluctance, that the criminals had, all of them, the opportunity of making their escape.

Charles, having passed some time at Paris, where no assistance was given him, and even few civilities were paid him, made his retreat into Jersey, where his authority was still acknowledged. Heie Winram, laird of Liberton, came to him as deputy from the committee of estates in Scotland, and informed him of the conditions, to which he must necessarily submit before he could be admitted to the exercise of his authority. Conditions more severe were never imposed by subjects upon their sovereign; but as the affairs of Ireland began to decline, and the king found it no longer safe to venture himself in that island, he gave a civil answer to Winram, and desired commissioners to meet him at Breda, in order to enter into a treaty with regard to these conditions.

The Earls of Cassilis and Lothian, Lord Burley, the Laird of Liberton, and other commissioners, arrived at Breda, but without any power of treating. The king must submit, without reserve, to the terms imposed upon him. The terms were, that he should issue a proclamation, banishing from court all excommunicated persons, that is, all those who, either under Hamilton or Montrose, had ventured their lives for his family, that no English subject, who had seived against the parliament, should be allowed to approach him, that he should bind himself by his royal promise to take the covenant, that he should ratify all acts of parliament, by which presbyterian government, the directory of worship, the confession of faith, and the catechism were established, and that in civil affairs he should entirely conform himself to the direction of parliament, and in ecclesiastical to that of the assembly. These proposals, the commissioners, after passing some time in sermons and prayers, in order to express the more determined resolution, very solemnly delivered to the young king.

The king's friends were divided with regard to the part which he should act in this critical conjuncture. Most of his English counsellors dissuaded him from accepting conditions so disadvantageous and dishonourable. They said that the men who now governed Scotland were the most furious and bigoted of that party, which, notwithstanding his gentle government, had first excited a rebellion against the late king; after the most unlimited concessions, had renewed their rebellion, and stopped the progress of his victories in England, and after he had entrusted his person to them in his uttermost distress, had basely sold him, together with their own honour, to his barbarous enemies. That they had as yet shown no marks of repentance, and even in the terms which they now proposed, displayed the same anti-monarchical principles, and the same jealousy of their sovereign, by which they had ever been actuated. That nothing could be more dishonourable than that the king, in his first enterprise, should sacrifice, merely for the empty name of royalty, those principles, for which his father had died a martyr, and in which he himself had been strictly educated. That by this hypocrisy he might lose the royalists, who alone were sincerely attached to him; but never would gain the presbyterians, who were averse to his family and his cause, and would ascribe his compliance merely to policy and necessity. That the Scots had refused to give him any assurances of their intending to restore him

to the throne of England, and could they even be brought to make such an attempt, it had sufficiently appeared, by the event of Hamilton's engagement, how unequal their force was to so great an enterprise. That on the first check which they should receive, Argyle and his partisans would lay hold of the quickest expedient for reconciling themselves to the English parliament, and would betray the king, as they had done his father, into the hands of his enemies. And that, however desperate the royal cause, it must still be regarded as highly imprudent in the king to make a sacrifice of his honour, where the sole purchase was to endanger his life or liberty.

The Earl of Lanark, now Duke of Hamilton, the Earl of Lauderdale, and others of that party, who had been banished their country for the late engagement, were then with the king, and being desirous of returning home in his retinue, they joined the opinion of the young Duke of Buckingham, and earnestly pressed him to submit to the conditions required of him. It was urged, that nothing would more gratify the king's enemies than to see him fall into the snare laid for him, and by so scrupulous a nicety, leave the possession of his dominions to those who desired but a pretence for excluding him. That Argyle, not daring so far to oppose the bent of the nation as to throw off all allegiance to his sovereign, had embraced this expedient, by which he hoped to make Charles dethrone himself, and refuse a kingdom which was offered him. That it was not to be doubted but the same national spirit, assisted by Hamilton and his party, would rise still higher in favour of their prince after he had entrusted himself to their fidelity, and would much abate the rigour of the conditions now imposed upon him. That whatever might be the present intentions of the ruling party, they must unavoidably be engaged in a war with England, and must accept the assistance of the king's friends of all parties, in order to support themselves against a power so much superior. That how much soever a steady, uniform conduct might have been suitable to the advanced age, and strict engagements of the late king, no one would throw any blame on a young prince for complying with conditions which necessity had extorted from him. That even the rigour of those principles, professed by his father, though with some it had exalted his character, had been extremely prejudicial to his interests; nor could anything be more serviceable to the royal cause, than to give all parties room to hope for more equal and more indulgent maxims of government. And that where affairs were reduced to so desperate a situation, dangers ought little to be regarded, and the king's honour lay rather in showing some early symptoms of courage and activity, than in choosing strictly a party among theological controversies with which, it might be supposed, he was, as yet, very little acquainted.

These arguments, seconded by the advice of the queen mother, and of the Prince of Orange, the king's brother-in-law, who both of them thought it ridiculous to refuse a kingdom merely from regard to episcopacy, had great influence on Charles. But what chiefly determined him to comply was the account brought him of the fate of Montrose, who, with all the circumstances of rage and contumely, had been put to death by his zealous countrymen. Though in this instance

the king saw more evidently the furious spirit by which the Scots were actuated, he had now no farther resource, and was obliged to grant whatever was demanded of him

Montrose, having laid down his arms at the command of the late king, had retired into France, and, contrary to his natural disposition, had lived for some time inactive at Paris. He there became acquainted with the famous Cardinal de Retz; and that penetrating judge celebrates him in his memoirs as one of those heroes of whom there are no longer any remains in the world, and who are only to be met with in Plutarch. Desirous of improving his martial genius, he took a journey to Germany, was caressed by the emperor, received the rank of *mareschal*, and proposed to levy a regiment for the imperial service. While employed for that purpose in the Low Countries, he heard of the tragical death of the king, and at the same time received from his young master a renewal of his commission of captain-general in Scotland (Burnet, Clarendon). His ardent and daring spirit needed but this authority to put him in action. He gathered followers in Holland and the north of Germany, whom his great reputation allured to him. The King of Denmark and Duke of Holstein sent him some small supply of money. The Queen of Sweden furnished him with arms. The Prince of Orange with ships. And Montrose, hastening his enterprise, lest the king's agreement with the Scots should make him revoke his commission, set out for the Orkneys with about 500 men, most of them Germans. These were all the preparations which he could make against a kingdom settled in domestic peace, supported by a disciplined army, fully apprized of his enterprise, and prepared against him. Some of his retainers having told him of a prophecy, that 'to him and him alone it was reserved to restore the king's authority in all his dominions,' he lent a willing ear to suggestions which, however ill grounded or improbable, were so conformable to his own daring character.

He armed several of the inhabitants of the Orkneys, though an unwarlike people, and carried them over with him to Caithness, hoping that the general affection to the king's service, and the fame of his former exploits, would make the Highlanders flock to his standard. But all men were now harassed and fatigued with wars and disorders; many of those who formerly adhered to him had been severely punished by the Covenanters, and no prospect of success was entertained in opposition to so great a force as was drawn together against him. But however weak Montrose's army, the memory of past events struck a great terror into the committee of estates. They immediately ordered Lesley and Holborne to march against him with an army of 4000 men. Strahan was sent before with a body of cavalry to check his progress. He fell unexpectedly on Montrose, who had no horse to bring him intelligence. The royalists were put to flight, all of them either killed or taken prisoners, and Montrose himself, having put on the disguise of a peasant, was perfidiously delivered into the hands of his enemies by a friend to whom he had entrusted his person.

All the insolence which success can produce in ungenerous minds was exercised by the Covenanters against Montrose, whom they so

much hated and so much dreaded Theological antipathy further increased their indignities towards a person whom they regarded as impious on account of the excommunication which had been pronounced against him Lesley led him about for several days in the same low habit under which he had disguised himself The vulgar, wherever he passed, were instigated to reproach and vilify him When he came to Edinburgh, every circumstance of elaborate rage and insult was put in practice by order of the parliament At the gate of the city, he was met by the magistrates, and put into a new cart, purposely made with a high chair or bench, where he was placed, that the people might have a full view of him He was bound with a cord, drawn over his breast and shoulders, and fastened through holes made in the cart The hangman then took off the hat of the noble prisoner, and rode himself before the cart in his livery, and with his bonnet on the other officers, who were taken prisoners with the marquis, walking two and two before them

The populace, more generous and humane, when they saw so mighty a change of fortune in this great man, so lately their dread and terror, into whose hands the magistrates, a few years before, had delivered on their knees the keys of the city, were struck with compassion, and viewed him with silent tears and admiration The preachers, next Sunday, exclaimed against this movement of rebel nature, as they termed it, and reproached the people with their profane tenderness towards the capital enemy of piety and religion

When he was carried before the parliament, which was then sitting, Loudon, the chancellor, in a violent declamation, reproached him with the breach of the national covenant, which he had subscribed, his rebellion against God, the king, and the kingdom, and the many horrible murders, treasons, and impieties, for which he was now to be brought to condign punishment Montrose in his answer maintained the same superiority above his enemies, to which, by his fame and great actions, as well as by the consciousness of a good cause, he was justly entitled. He told the parliament, that, since the king, as he was informed, had so far avowed their authority as to enter into treaty with them, he now appeared uncovered before their tribunal, a respect, which, while they stood in open defiance to their sovereign, they would in vain have required of him That he acknowledged, with infinite shame and remorse, the errors of his early conduct, when their plausible pretences had seduced him to tread with them the paths of rebellion, and bear arms against his prince and country That his following services, he hoped, had sufficiently testified his repentance; and his death would now atone for that guilt, the only one with which he could justly reproach himself That in all his warlike enterprises he was warranted by that commission, which he had received from his and their master, against whose lawful authority they had erected their standard That to venture his life for his sovereign was the least part of his merit he had even thrown down his arms in obedience to the sacred commands of the king, and had resigned to them the victory, which, in defiance of all their efforts, he was still enabled to dispute with them That no blood had ever been shed by him but in the field of battle, and many persons were now in his eye, many now dared to pronounce sentence

of death upon him, whose life, forfeited by the laws of war, he had formerly saved from the fury of the soldiers. That he was sorry to find no better testimony of their return to allegiance than the murder of so faithful a subject, in whose death the king's commission must be, at once, so highly injured and affronted. That as to himself, they had in vain endeavoured to vilify and degrade him by all their studied indignities: the justice of his cause, he knew, would ennoble any fortune, nor had he other affliction than to see the authority of his prince, with which he was invested, treated with so much ignominy. And that he now joyfully followed, by a like unjust sentence, his late sovereign, and should be happy, if, in his future destiny, he could follow him to the same blissful mansions, where his piety and humane virtues had already, without doubt, secured for him an eternal recompence.

Montrose's sentence was next pronounced against him, 'That he, 'James Graham' (for this was the only name they vouchsafed to give him), 'should next day be carried to Edinburgh cross, and there be 'hanged on a gibbet, thirty feet high, for the space of three hours. 'then be taken down, his head be cut off upon a scaffold, and affixed 'to the prison: his legs and arms be stuck up on the four chief towns 'of the kingdom: his body be buried in the place appropriated for 'common malefactors, except the church, upon his repentance, should 'take off his excommunication.'

The clergy, hoping that the terrors of immediate death had now given them an advantage over their enemy, flocked about him, and insulted over his fallen fortunes. They pronounced his damnation, and assured him, that the judgment, which he was so soon to suffer, would prove but an easy prologue to that which he must undergo hereafter. They next offered to pray with him: but he was too well acquainted with those forms of imprecation, which they called prayers. 'Lord, vouchsafe yet to touch the obdurate heart of this proud incorrigible sinner, this wicked, perjured, traiterous, and profane person, 'who refuses to hearken to the voice of thy church.' Such were the petitions, which, he expected, they would, according to custom, offer up for him. He told them that they were a miserably deluded and deluding people, and would shortly bring their country under the most insupportable servitude to which any nation had ever been reduced. 'For my part,' added he, 'I am much prouder to have my 'head affixed to the place where it is sentenced to stand, than to have 'my picture hang in the king's bedchamber. So far from being sorry 'that my quarters are to be sent to four cities of the kingdom, I wish 'I had limbs enow to be dispersed into all the cities of Christendom, 'there to remain as testimonies in favour of the cause for which I 'suffer.' This sentiment that very evening, while in prison, he threw into verse. The poem remains, a signal monument of his heroic spirit, and no despicable proof of his poetical genius.

Now (May 21) was led forth, amidst the insult of his enemies and the tears of the people, this man of illustrious birth, and of the greatest renown in the nation, to suffer, for his adhering to the laws of his country and the rights of his sovereign, the ignominious death destined to the meanest malefactor. Every attempt which the insolence

of the governing party had made to subdue his spirit, had hitherto proved fruitless they made yet one effort more in this last and melancholy scene, when all enmity, arising from motives merely human, is commonly softened and disarmed. The executioner brought that book, which had been published in elegant Latin of his great military actions, and tied it by a cord about his neck. Montrose smiled at this new instance of their malice. He thanked them, however, for their officious zeal, and said that he bore this testimony of his bravery and loyalty with more pride than he had ever worn the garter. Having asked whether they had any more indignities to put upon him, and renewing some devout ejaculations, he patiently submitted to the last act of his executioner.

Thus perished, in the thirty-eighth year of his age, the gallant Marquis of Montrose; the man whose military genius, both by valour and conduct, had shone forth beyond any which, during these civil disorders, had appeared in the three kingdoms. The finer arts too he had, in his youth, successfully cultivated, and whatever was sublime, elegant, or noble, touched his great soul. Nor was he insensible to the pleasures either of society or of love. Something, however, of the '*vast and unbounded*' characterised his actions and deportment, and it was merely by an heroic effort of duty that he brought his mind, impatient of superiority, and even of equality, to pay such unlimited submission to the will of his sovereign.

The vengeance of the Covenanters was not satisfied with Montrose's execution. Urrey, whose inconstancy now led him to take part with the king, suffered about the same time, Spotswood, of Dairsie, a youth of eighteen, Sir Francis Hay, of Dalgetie, and Colonel Sibbald, all of them of birth and character, underwent a like fate. These were taken prisoners with Montrose. The Marquis of Huntley, about a year before, had fallen a victim to the severity of the Covenanters.

The past scene displays in a full light the barbarity of this theological faction: the sequel will sufficiently display their absurdity.

The king, in consequence of his agreement with the commissioners of Scotland, set sail (June 23), for that country, and being escorted by seven Dutch ships of war, who were sent to guard the herring fishery, he arrived in the frith of Cromarty. Before he was permitted to land, he was required to sign the covenant, and many sermons and lectures were made him, exhorting him to persevere in that holy confederacy (Sir Edw Walker's *Historical Discourses*, p. 159). Hamilton, Lauderdale, Dunfermline, and other noblemen of that party whom they called Engagers, were immediately separated from him, and obliged to retire to their houses, where they lived in a private manner, without trust or authority. None of his English friends, who had served his father, were allowed to remain in the kingdom. The king himself found, that he was considered as a mere pageant of state, and that the few remains of royalty which he possessed, served only to draw on him the greater indignities. One of the quarters of Montrose, his faithful servant, who had borne his commission, had been sent to Aberdeen, and was still allowed to hang over the gates when he passed by that place (Walker's *Historical Discourses*, p. 160). The general assembly, and afterwards the committee of estates and the army, who

were entirely governed by the assembly, set forth a public declaration, in which they protested, 'that they did not espouse any malignant quarrel or party, but fought merely on their former grounds or principles; that they disclaimed all the sins and guilt of the king, and of his house, nor would they own him or his interest, otherwise than with a subordination to God, and so far as he owned and prosecuted the cause of God, and acknowledged the sins of his house, and of his former ways' (Walker's Historical Discourses, p. 166)

The king, lying entirely at mercy, and having no assurance of life or liberty, farther than was agreeable to the fancy of these austere zealots, was constrained to embrace a measure, which nothing but the necessity of his affairs, and his great youth and inexperience, could excuse. He issued a declaration, such as they required of him (*Ibid* p. 170). He there gave thanks for the merciful dispensations of providence, by which he was recovered from the snare of evil counsel, had attained a full persuasion of the righteousness of the covenant, and was induced to cast himself and his interests wholly upon God. He desired to be deeply humbled and afflicted in spirit, because of his father's following wicked measures, opposing the covenant and the work of reformation, and shedding the blood of God's people throughout all his dominions. He lamented the idolatry of his mother, and the toleration of it in his father's house; a matter of great offence, he said, to all the protestant churches, and a great provocation to him who is a jealous God, visiting the sins of the father upon the children. He professed, that he would have no enemies but the enemies of the covenant; and that he detested all popery, superstition, prelacy, heresy, schism, and profaneness, and was resolved not to tolerate, much less to countenance, any of them in any of his dominions. He declared, that he should never love or favour those who had so little conscience as to follow his interests, in preference to the gospel and the kingdom of Jesus Christ. And he expressed his hope, that, whatever ill success his former guilt might have drawn upon his cause, yet now, having obtained mercy to be on God's side, and to acknowledge his own cause subordinate to that of God, divine providence would crown his arms with victory.

Still the Covenanters and the clergy were diffident of the king's sincerity. The facility which he discovered in yielding whatever was required of him, made them suspect, that he regarded all his concessions merely as ridiculous farces, to which he must of necessity submit. They had another trial prepared for him. Instead of the solemnity of his coronation, which was delayed, they were resolved, that he should pass through a public humiliation, and do penance before the whole people. They sent him twelve articles of repentance, which he was to acknowledge; and the king had agreed, that he would submit to this indignity. The various transgressions of his father and grandfather, together with the idolatry of his mother, are again enumerated and aggravated in these articles, and farther declarations were insisted on, that he sought the restoration of his rights, for the sole advancement of religion, and in subordination to the kingdom of Christ (Walker's Historical Discourses, p. 178). In short, having exalted the altar above the throne, and brought royalty under their feet, the clergy were resolved to trample on it, and vilify it, by every

instance of contumely, which their present influence enabled them to impose upon their unhappy prince

Charles in the mean time found his authority entirely annihilated, as well as his character degraded. He was consulted in no public measure. He was not called to assist at any councils. His favour was sufficient to discredit any pretender to office or advancement. All efforts, which he made to unite the opposite parties, increased the suspicion, which the Covenanters had entertained of him, as if he were not entirely their own. Argyle, who, by subtleties and compliances, was partly led and partly governed by this wild faction, still turned a deaf ear to all advances which the king made to enter into confidence with him. 'Malignants' and 'Engagers' continued to be the objects of general hatred and persecution, and whoever was obnoxious to the clergy, failed not to have one or other of these epithets affixed to him. The fanaticism, which prevailed, being so full of sour and angry principles, and so overcharged with various antipathies, had acquired a new object of abhorrence: these were the 'Sorcerers.' So prevalent was the opinion of witchcraft, that great numbers, accused of that crime, were burnt by sentence of the magistrates throughout all parts of Scotland. In a village near Berwick, which contained only fourteen houses, fourteen persons were punished by fire (Whitlocke, pp 404, 408), and it became a science, everywhere much studied and cultivated, to distinguish a true witch by proper trials and symptoms (Whitlocke, pp 396, 418)

The advance of the English army under Cromwell was not able to appease or soften the animosities among the parties in Scotland. The clergy were still resolute to exclude all but their most zealous adherents. As soon as the English parliament found, that the treaty between the king and the Scots would probably terminate in an accommodation, they made preparations for a war, which, they saw, would, in the end, prove inevitable. Cromwell, having broken the force and courage of the Irish, was sent for; and he left the command of Ireland to Ireton, who governed that kingdom in the character of deputy, and with vigilance and industry persevered in the work of subduing and expelling the natives.

It was expected, that Fairfax, who still retained the name of general, would continue to act against Scotland, and appear at the head of the forces, a station for which he was well qualified, and where alone he made any figure. But Fairfax, though he had allowed the army to make use of his name in murdering their sovereign, and offering violence to the parliament, had entertained unsurmountable scruples against invading the Scots, whom he considered as zealous presbyterians, and united to England by the sacred bands of the covenant. He was farther disgusted at the extremities, into which he had already been hurried, and was confirmed in his repugnance by the exhortations of his wife, who had great influence over him, and was herself much governed by the presbyterian clergy. A committee of parliament was sent to reason with him; and Cromwell was of the number. In vain did they urge, that the Scots had first broken the covenant by their invasion of England under Hamilton, and that they would surely renew their hostile attempts, if not prevented by the vigorous

measures of the commonwealth Cromwell, who knew the rigid inflexibility of Fairfax, in every thing which he regarded as matter of principle, ventured to solicit him with the utmost earnestness, and he went so far as to shed tears of grief and vexation on the occasion. No one could suspect any ambition in the man, who laboured so zealously to retain his general in that high office, which, he knew, he himself was alone entitled to fill. The same warmth of temper which made Cromwell a frantic enthusiast, rendered him the most dangerous of hypocrites, and it was to this turn of mind, as much as to his courage and capacity, that he owed all his wonderful successes. By the contagious ferment of his zeal, he engaged everyone to co-operate with him in his measures, and entering easily and affectionately into every part, which he was disposed to act, he was enabled, even after multiplied deceptions, to cover, under a tempest of passion, all his crooked schemes and profound artifices.

Fairfax having resigned his commission, it was bestowed on Cromwell, who was declared captain-general of all the forces in England. This command, in a commonwealth, which stood entirely by arms, was of the utmost importance, and was the chief step which this ambitious politician had yet made towards sovereign power. He immediately marched, and entered Scotland with an army of 16,000 men.

The command of the Scottish army was given to Lesley, an experienced officer, who formed a very proper plan of defence. He entrenched himself in a fortified camp between Edinburgh and Leith, and took care to remove from the counties of Merse and the Lothians everything which could serve to the subsistence of the English army. Cromwell advanced to the Scotch camp, and endeavoured, by every expedient, to bring Lesley to a battle. The prudent Scotchman knew, that, though superior in numbers, his army was much inferior in discipline to the English, and he carefully kept himself within his entrenchments. By skirmishes and small rencounters he tried to confirm the spirits of his soldiers, and he was successful in these enterprises. His army daily increased both in numbers and courage. The king came to the camp, and having exerted himself in an action, gained on the affections of the soldiery, who were more desirous of serving under a young prince of spirit and vivacity, than under a committee of talking gown-men. The clergy were alarmed. They ordered Charles immediately to leave the camp. They also purged it carefully of about 4000 'Malignants' and 'Engagees,' whose zeal had led them to attend the king, and who were the soldiers of chief credit and experience in the nation (Walker, p. 165). They then concluded, that they had an army composed entirely of saints, and could not be beaten. They murmured extremely, not only against their prudent general, but also against the Lord, on account of his delays in giving them deliverance (Walker, p. 168), and they plainly told him, that, if he would not save them from the English sectaries, he should no longer be their God (Whitlocke, p. 443). An advantage having offered itself on a Sunday, they hindered the general from making use of it, lest he should involve the nation in the guilt of sabbath-breaking.

Cromwell found himself in a very bad situation. He had no provisions but what he received by sea. He had not had the precaution

418 *The Scots totally beaten by Cromwell at Dunbar.*

to bring these in sufficient quantities, and his army was reduced to difficulties. He retired to Dunbar. Lesley followed him, and encamped on the heights of Lammermoor, which overlook that town. There lay many difficult passes between Dunbar and Berwick, and of these Lesley had taken possession. The English general was reduced to extremities. He had even embraced a resolution of sending by sea all his foot and artillery to England, and of breaking through, at all hazards, with his cavalry. The madness of the Scottish ecclesiastics saved him from this loss and dishonour.

Night and day the ministers had been wrestling with the Lord in prayer, as they termed it, and they fancied, that they had at last obtained the victory. Revelations, they said, were made them, that the sectarian and heretical army, together with Agag, meaning Cromwell, was delivered into their hands. Upon the faith of these visions, they forced their general, in spite of his remonstrances, to descend into the plain, with a view of attacking the English in their retreat. Cromwell, looking through a glass, saw the enemy's camp in motion; and foretold, without the help of revelations, that the Lord had delivered them into *his* hands. He (Sept 3) gave orders immediately for an attack. In this battle it was easily observed, that nothing, in military actions, can supply the place of discipline and experience, and that, in the presence of real danger, where men are not accustomed to it, the fumes of enthusiasm presently dissipate, and lose their influence. The Scots, though double in number to the English, were soon put to flight, and pursued with great slaughter. The chief, if not only resistance, was made by one regiment of Highlanders, that part of the army which was the least infected with fanaticism. No victory could be more complete than this which was obtained by Cromwell. About 3000 of the enemy were slain, and 9000 taken prisoners. Cromwell pursued his advantage, and took possession of Edinburgh and Leith. The remnant of the Scottish army fled to Stirling. The approach of the winter season, and an ague, which seized Cromwell, kept him from pushing the victory any farther.

The clergy made great lamentations, and told the Lord, that to them it was little to sacrifice their lives and estates, but to him it was a great loss to suffer his elect to be destroyed (Walker). They published a declaration, containing the cause of their late misfortunes. These visitations they ascribed to the manifold provocations of the king's house, of which, they feared, he had not yet thoroughly repented; the secret intrusion of malignants into the king's family and even into the camp, the leaving of a most malignant and profane guard of horse, who, being sent for to be purged, came two days before the defeat, and were allowed to fight with the army, the owning of the king's quarrel by many without subordination to religion and liberty; and the carnal self-keeping of some, together with the neglect of family prayers by others.

Cromwell, having been so successful in the war of the sword, took up the pen against the Scottish ecclesiastics. He wrote them some polemical letters, in which he maintained the chief points of the independent theology. He took care likewise to retort on them their favourite argument of providence, and asked them, Whether the

Lord had not declared against them? But the ministers thought, that the same events, which to their enemies were judgments, to them were trials, and they replied, that the Lord had only hid his face, for a time, from Jacob. But Cromwell insisted, that the appeal had been made to God in the most express and solemn manner, and that, in the fields of Dunbar, an irrevocable decision had been awarded in favour of the English army¹

The defeat of the Scots was regarded by the king as a fortunate event. The armies, which fought on both sides, were almost equally his enemies; and the vanquished were now obliged to give him some more authority, and apply to him for support. The Parliament was summoned to meet at St Johnstone's (Perth). Hamilton, Lauderdale, and all the Engagers were admitted into court and camp, on condition of doing public penance, and expressing repentance for their late transgressions. Some malignants also crept in under various pretences. The intended humiliation or penance of the king was changed into the ceremony of his coronation, which was (Jan A D 1651) performed at Scone with great pomp and solemnity. But amidst all this appearance of respect, Charles remained in the hands of the most rigid Covenanters. and though treated with civility and courtesy by Argyle, a man of parts and address, he was little better than a prisoner, and still exposed to all the rudeness and pedantry of the ecclesiastics.

This young prince was in a situation which very ill suited his temper and disposition. All those good qualities which he possessed, his affability, his wit, his gaiety, his gentlemanlike, disengaged behaviour, were here so many vices, and his love of ease, liberty, and pleasure, was regarded as the highest enormity. Though artful in the practice of courtly dissimulation, the sanctified style was utterly unknown to him; and he never could mould his deportment into that starched grimace, which the Covenanters required as an infallible mark of conversion. The Duke of Buckingham was the only English courtier allowed to attend him. and, by his ingenious talent for ridicule, he had rendered himself extremely agreeable to his master. While so many objects of derision surrounded them, it was difficult to be altogether insensible to the temptation, and wholly to suppress the laugh. Obligated to attend from morning to night at prayers and sermons, they betrayed evident symptoms of weariness or contempt. The clergy never could esteem the king sufficiently regenerated. and by continual exhortations, remonstrances, and reprimands, they still endeavoured to bring him to a juster sense of his spiritual duty.

¹ This is the best of Cromwell's wretched compositions that remains, and we shall here extract a passage out of it. 'You say you have not so learned Christ as to hang the equity of your cause upon events. We could wish that blindness had not been upon your eyes to all those marvellous dispensations which God had wrought lately in England. But did not you solemnly appeal and pray? Did not we do so too? And ought not we and you to think, with fear and trembling, of the hand of the great God, in this mighty and strange appearance of His, but can slightly call it an event? Were not both your and our expectations renewed from time to time, while we waited on God, to see which way He would manifest Himself upon our appeals? And shall we, after all these our prayers, fastings, tears, expectations, and solemn appeals, call these mere events? The Lord pity you. Surely we fear, because it has been a merciful and a gracious deliverance to us. I beseech you in the bowels of Christ, search after the mind of the Lord in it towards you, and we shall help you by our prayers that you may find it. For yet, if we know our heart at all, our bowels do in Christ yearn after the godly in Scotland' (Thurloe, vol. i. p. 158).

The king's passion for the fair could not altogether be restrained. He had once been observed using some familiarities with a young woman; and a committee of ministers was appointed to reprove him for a behaviour so unbecoming a covenanted monarch. The spokesman of the committee, one Douglass, began with a severe aspect, informed the king that great scandal had been given to the godly, enlarged on the heinous nature of sin, and concluded with exhorting his majesty, whenever he was disposed to amuse himself, to be more careful, for the future, 'in shutting the windows' This delicacy, so unusual to the place and to the character of the man, was remarked by the king and he never forgot the obligation.

The king, shocked at all the indignities, and, perhaps, still more tired with all the formalities, to which he was obliged to submit, made an attempt to regain his liberty. General Middleton, at the head of some royalists, being proscribed by the Covenanters, kept in the mountains, expecting some opportunity of serving his master. The king resolved to join this body. He secretly made his escape from Argyle, and fled towards the Highlands. Colonel Montgomery, with a troop of horse, was sent in pursuit of him. He overtook the king, and persuaded him to return. The royalists being too weak to support him, Charles was the more easily induced to comply. This incident procured him afterwards better treatment, and more authority, the Covenanters being afraid of driving him, by their rigours, to some desperate resolution. Argyle renewed his courtship to the king, and the king, with equal dissimulation, pretended to repose great confidence in Argyle. He even went so far as to drop hints of his intention to marry that nobleman's daughter but he had to do with a man too wise to be seduced by such gross artifices.

As soon as the season would permit, the Scottish army was assembled under Hamilton and Lesley, and the king was allowed to join the camp. The forces of the western counties, notwithstanding the imminent danger which threatened their country, were resolute not to unite their cause with that of an army which admitted any engagers or malignants among them; and they kept in a body apart under Ker. They called themselves the 'Protesters', and their frantic clergy declaimed against the king and against Cromwell. The other party were denominated 'Resolutioners', and these distinctions continued long after to divide and agitate the kingdom.

Charles encamped at the Torwood, and his generals resolved to conduct themselves by the same cautious maxims, which, so long as they were embraced, had been successful during the former campaign. The town of Stirling lay at his back, and the whole north supplied him with provisions. Strong entrenchments defended his front; and it was in vain that Cromwell made every attempt to bring him to an engagement. After losing much time, the English general sent Lambert over the Frith into Fife, with an intention of cutting off the provisions of the enemy. Lambert fell upon Holborne and Brown, who commanded a party of the Scots, and put them to rout with great slaughter. Cromwell also passed over with his whole army; and lying at the back of the king, made it impossible for him to keep his post any longer.

Charles, reduced to despair, embraced a resolution worthy of a young prince contending for empire. Having the way open, he resolved immediately to march into England; where he expected that all his friends, and all those who were discontented with the present government, would flock to his standard. He persuaded the generals to enter into the same views; and with one consent the army, to the number of 14,000 men, rose from their camp, and advanced by great journeys towards the south.

Cromwell was surprised at this movement of the royal army. Wholly intent on offending his enemy, he had exposed his friends to imminent danger, and saw the king with numerous forces marching into England, where his presence, from the general hatred which prevailed against the parliament, was capable of producing some great revolution. But if this conduct was an oversight in Cromwell, he quickly repaired it by his vigilance and activity. He dispatched letters to the parliament, exhorting them not to be dismayed at the approach of the Scots: he sent orders every where for assembling forces to oppose the king: he ordered Lambert with a body of cavalry to hang upon the rear of the royal army, and infest their march: and he himself, leaving Monk with 7,000 men to complete the reduction of Scotland, followed the king with all the expedition possible.

Charles found himself disappointed in his expectations of increasing his army. The Scots, terrified at the prospect of so hazardous an enterprise, fell off in great numbers. The English presbyterians, having no warning given them of the king's approach, were not prepared to join him. To the royalists, this measure was equally unexpected; and they were farther deterred from joining the Scottish army, by the orders which the committee of ministers had issued, not to admit any, even in this desperate extremity, who would not subscribe the covenant. The Earl of Derby, leaving the Isle of Man, where he had hitherto maintained his independence, was employed in levying forces in Cheshire and Lancashire, but was soon suppressed by a party of the parliamentary army. And the king, when he arrived at Worcester, found that his forces, extremely harassed by a hasty and fatiguing march, were not more numerous than when he rose from his camp in the Torwood.

Such is the influence of established government, that the commonwealth, though founded in usurpation the most unjust and unpopular, had authority sufficient to raise everywhere the militia of the counties; and these, united with the regular forces, bent all their efforts against the king. With an army of about 30,000 men, Cromwell fell (Sept. 3rd) upon Worcester, and attacking it on all sides, and meeting with little resistance, except from Duke Hamilton and General Middleton, broke in upon the disordered royalists. The streets of the city were strewed with dead. Hamilton, a nobleman of bravery and honour, was mortally wounded, Massey wounded and taken prisoner; the king himself, having given many proofs of personal valour, was obliged to fly. The whole Scottish army was either killed or taken prisoners. The country people, inflamed with national antipathy, put to death the few that escaped from the field of battle.

The king left Worcester at six o'clock in the afternoon, and, without

422 *Escape of Charles.—The Royal Oak of Boscobel*

halting, travelled about twenty-six miles, in company with fifty or sixty of his friends. To provide for his safety, he thought it best to separate himself from his companions; and he left them without communicating his intentions to any of them. By the Earl of Derby's directions, he went to Boscobel, a lone house on the borders of Staffordshire, inhabited by one Penderell, a farmer. To this man Charles entrusted himself. The man had dignity of sentiments much above his condition; and though death was denounced against all who concealed the king, and a great reward promised to any one who should betray him, he professed and maintained unshaken fidelity. He took the assistance of his four brothers, equally honourable with himself; and having clothed the king in a garb like their own, they led him into the neighbouring wood, put a bill into his hand, and pretended to employ themselves in cutting faggots. Some nights he lay upon straw in the house, and fed on such homely fare as it afforded. For a better concealment, he mounted upon an oak, where he sheltered himself among the leaves and branches for twenty-four hours. He saw several soldiers pass by. All of them were intent in search of the king, and some expressed, in his hearing, their earnest wishes of seizing him. This tree was afterwards denominated the '*Royal Oak*,' and for many years was regarded by the neighbourhood with great veneration.

Charles was in the middle of the kingdom, and could neither stay in his retreat, nor stir a step from it, without the most imminent danger. Fear, hopes, and party zeal, interested multitudes to discover him, and even the smallest indiscretion of his friends might prove fatal. Having joined Lord Wilmot, who was skulking in the neighbourhood, they agreed to put themselves into the hands of Colonel Lane, a zealous royalist, who lived at Bentley, not many miles distant. The king's feet were so hurt by walking about in heavy boots or countrymen's shoes which did not fit him, that he was obliged to mount on horseback; and he travelled in this situation to Bentley, attended by the Penderells, who had been so faithful to him. Lane formed a scheme for his journey to Bristol, where, it was hoped, he would find a ship, in which he might transport himself. He had a near kinswoman, Mrs. Norton, who lived within three miles of that city, and was with child, very near the time of her delivery. He obtained a pass (for, during those times of confusion, this precaution was requisite) for his sister Jane Lane and a servant, to travel towards Bristol, under pretence of visiting and attending her relation. The king rode before the lady, and personated the servant.

When they arrived at Norton's, Mrs. Lane pretended that she had brought along as her servant a poor lad, a neighbouring farmer's son, who was ill of an ague; and she begged a private room for him, where he might be quiet. Though Charles kept himself retired in this chamber, the butler, one Pope, soon knew him, the king was alarmed, but made the butler promise that he would keep the secret from every mortal, even from his master, and he was faithful to his engagement.

No ship, it was found, would, for a month, set sail from Bristol, either for France or Spain; and the king was obliged to go elsewhere for a passage. He entrusted himself to Colonel Windham, of Dorsetshire, an affectionate partizan of the royal family. The natural effect

of the long civil wars, and of the furious rage to which all men were wrought up in their different factions, was, that every one's inclinations and affections were thoroughly known, and even the courage and fidelity of most men, by the variety of incidents, had been put to trial. The royalists too had, many of them, been obliged to make concealments in their houses for themselves, their friends, or more valuable effects, and the arts of eluding the enemy had been frequently practised. All these circumstances proved favourable to the king in the present exigency. As he often passed through the hands of catholics, the '*Priest's Hole*,' as they called it, the place where they were obliged to conceal their persecuted priests, was sometimes employed for sheltering their distressed sovereign.

Windham, before he received the king, asked leave to entrust the important secret to his mother, his wife, and four servants, on whose fidelity he could rely. Of all these, no one proved wanting either in honour or discretion. The venerable old matron, on the reception of her royal guest, expressed the utmost joy, that having lost, without regret, three sons and one grandchild in defence of his father, she was now reserved, in her declining years, to be instrumental in the preservation of himself. Windham told the king, that Sir Thomas, his father, in the year 1636, a few days before his death, called to him his five sons. 'My children,' said he, 'we have hitherto seen serene and quiet times under our three last sovereigns but I must now warn you to prepare for clouds and storms. Factions arise on every side, and threaten the tranquility of your native country. But whatever happen, do you faithfully honour and obey your prince, and adhere to the crown. I charge you never to forsake the crown, though it should hang upon a bush.' These last words, added Windham, 'made such impressions on all our breasts, that the many afflictions of these sad times could never efface their indelible characters.' From innumerable instances, it appears how deep-rooted in the minds of the English gentry of that age was the principle of loyalty to their sovereign, that noble and generous principle, inferior only in excellence to the more enlarged and more enlightened affection towards a legal constitution. But during those times of military usurpation these passions were the same.

The king continued several days in Windham's house, and all his friends in Britain, and in every part of Europe, remained in the most anxious suspense with regard to his fortunes: no one could conjecture whether he were dead or alive, and the report of his death being generally believed, happily relaxed the vigilant search of his enemies. Trials were made to procure a vessel for his escape, but he still met with disappointments. Having left Windham's house, he was obliged again to return to it. He passed through many other adventures, assumed different disguises, in every step was exposed to imminent perils, and received daily proofs of uncorrupted fidelity and attachment. The sagacity of a smith, who remarked that his horse's shoes had been made in the north, not in the west, as he pretended, once detected him; and he narrowly escaped. At Shoreham in Sussex a vessel was at last found, in which he embarked. He had been known to so many, that if he had not set sail in that critical moment, it had been impossible for him to escape. After one and forty days concealment, he arrived safely

at Fescamp in Normandy No less than forty men and women had at different times been privy to his concealment and escape (Heath's Chron p. 301)

The battle of Worcester afforded Cromwell what he called his '*crowning mercy*' (Parl. Hist vol xx p 47) So elated was he, that he intended to have knighted in the field two of his generals, Lambert and Fleetwood, but was dissuaded by his friends from exerting this act of regal authority His power and ambition were too great to brook submission to the empty name of a republic, which stood chiefly by his influence, and was supported by his victories How early he entertained thoughts of taking into his hand the reins of government is uncertain We are only assured, that he now discovered to his intimate friends these aspiring views, and even expressed a desire of assuming the rank of king, which he had contributed, with such seeming zeal, to abolish (Whitlocke, p 523).

The little popularity and credit acquired by the republicans, further stimulated the ambition of this enterprising politician These men had not that large thought, nor those comprehensive views, which might qualify them for acting the part of legislators selfish aims and bigotry chiefly engrossed their attention They carried their rigid austerity so far as to enact a law, declaring fornication, after the first act, to be felony, without benefit of clergy¹ They made small progress in that important work, which they professed to have so much at heart, the settling of a new model of representation and fixing a plan of government The nation began to apprehend, that they intended to establish themselves as a perpetual legislature, and to confine the whole power to sixty or seventy persons, who called themselves the parliament of the commonwealth of England And while they pretended to bestow new liberties upon the nation, they found themselves obliged to infringe even the most valuable of those which, through time immemorial, had been transmitted from their ancestors Not daring to entrust the trials of treason to juries, who, being chosen indifferently from among the people, would have been little favourable to the commonwealth, and would have formed their verdict upon the ancient laws, they eluded that noble institution, by which the government of this island has ever been so much distinguished. They had evidently seen in the trial of Lilburn what they could expect from juries This man, the most turbulent, but the most upright and courageous of human kind, was tried for a transgression of the new statute of treasons but though he was plainly guilty, he was acquitted, to the great joy of the people Westminster Hall, nay the whole city, rang with shouts and acclamations Never did any established power receive so strong a declaration of its usurpation and invalidity, and from no institution, besides the admirable one of juries, could be expected this magnanimous effort

That they might not for the future be exposed to affronts, which so much lessened their authority, the parliament erected a high court of justice, which was to receive indictments from the council of state. This court was composed of men, devoted to the ruling party, without name or character, determined to sacrifice everything to their own

¹ Scobel, p 122 A bill was introduced into the house against painting, patches, and other immodest dress of women, but it did not pass (Parl. Hist. vol xix p 263).

safety or ambition. Colonel Eusebius Andrews, and Colonel Walter Slingsby were tried by this court for conspiracies, and condemned to death. They were royalists, and refused to plead before so illegal a jurisdiction. Love, Gibbons, and other presbyterians, having entered into a plot against the republic, were also tried, condemned, and executed. The Earl of Derby, Sir Timothy Featherstone, Bemboe, being taken prisoners after the battle of Worcester, were put to death by sentence of a court-martial, a method of proceeding declared illegal by that very petition of right, for which a former parliament had so strenuously contended, and which, after great efforts, they had extorted from the king.

Excepting their principles of toleration, the maxims, by which the republicans regulated ecclesiastical affairs, no more prognosticated any durable settlement than those by which they conducted their civil concerns. The presbyterian model of congregation, classes, and assemblies, was not allowed to be finished. It seemed even the intention of many leaders in the parliament to admit of no established church, and to leave everyone, without any guidance of the magistrate, to embrace whatever sect, and to support whatever clergy, were most agreeable to him.

The parliament went so far as to make some approaches in one province, to their independent model. Almost all the clergy of Wales being ejected as malignants, itinerant preachers with small salaries were settled, not above four or five in each county, and these, being furnished with horses at the public expence, hurried from place to place, and carried, as they expressed themselves, the glad tidings of the gospel (Dr John Walker's Attempt, p 147 et seq.) They were all of them men of the lowest birth and education, who had deserted mechanical trades, in order to follow this new profession. And in this particular, as well as in their wandering life, they pretended to be more truly apostolical.

The republicans, both by the turn of their disposition, and by the nature of the instruments which they employed, were better qualified for acts of force and vigour, than for the slow and deliberate work of legislation. Notwithstanding the late wars and bloodshed, and the present factions, the power of England had never, in any period, appeared so formidable to the neighbouring kingdoms as it did at this time, in the hands of the commonwealth. A numerous army served equally to retain every one in implicit subjection to established authority, and to strike a terror into foreign nations. The power of peace and war was lodged in the same hands with that of imposing taxes, and no difference of views, among the several members of the legislature, could any longer be apprehended. The present impositions, though much superior to what had ever formerly been experienced, were in reality moderate, and what a nation, so opulent, could easily bear. The military genius of the people had, by the civil contests, been roused from its former lethargy, and excellent officers were formed in every branch of service. The confusion, into which all things had been thrown, had given opportunity to men of low stations to break through their obscurity, and to raise themselves by their courage to commands, which they were well qualified to

exercise, but to which their birth could never have entitled them. And while so great a power was lodged in such active hands, no wonder the republic was successful in all its enterprises.

Blake, a man of great courage and a generous disposition, the same person who had defended Lyme and Taunton with such unshaken obstinacy against the late king, was made an admiral, and though he had hitherto been accustomed only to land-service, into which too he had not entered till past fifty years of age, he soon raised the naval glory of the nation to a greater height than it had ever attained in any former period. A fleet was put under his command, and he received orders to pursue prince Rupert, to whom the king had entrusted that squadron which had deserted to him. Rupert took shelter in Kinsale; and escaping thence, fled towards the coast of Portugal. Blake pursued, and chased him into the Tagus, where he intended to make an attack upon him. But the king of Portugal, moved by the favour which, throughout all Europe, attended the royal cause, refused Blake admittance, and aided prince Rupert in making his escape. To be revenged of this partiality, the English admiral made prize of twenty Portuguese ships richly laden; and he threatened still farther vengeance. The king of Portugal, dreading so dangerous a foe to his newly acquired dominion, and, sensible of the unequal contest in which he was engaged, made all possible submissions to the haughty republic, and was at last admitted to negotiate the renewal of his alliance with England. Prince Rupert, having lost a great part of his squadron on the coast of Spain, made sail towards the West Indies. His brother, prince Maurice, was there shipwrecked in a hurricane. Everywhere this squadron subsisted by privateering, sometimes on English, sometimes on Spanish vessels. And Rupert at last returned to France, where he disposed of the remnants of his fleet, together with his prizes.

All the settlements in America, except New England, which had been planted entirely by the puritans, adhered to the royal party, even after the settlement of the republic, and Sir George Ayscue was sent with a squadron to reduce them. Bermudas, Antigua, Virginia, were soon subdued. Barbadoes, commanded by lord Willoughby of Parham, made some resistance, but was at last obliged to submit.

With equal ease were Jersey, Guernsey, Scilly, and the Isle of Man, brought under subjection to the republic, and the sea, which had been much infested by privateers from these islands, was rendered safe to the English commerce. The countess of Derby defended the Isle of Man, and with great reluctance yielded to the necessity of surrendering to the enemy. This lady, a daughter of the illustrious house of Tremouille in France, had, during the civil war, displayed a manly courage by her obstinate defence of Latham-House against the parliamentary forces, and she retained the glory of being the last person in the three kingdoms, and in all their dependent dominions, who submitted to the victorious commonwealth.¹

¹ When the Earl of Derby was alive, he had been summoned by Ireton to surrender the Isle of Man, and he returned this spirited and memorable answer — 'I received your letter with indignation, and with scorn return you this answer: that I cannot but wonder whence you should gather any hopes that I should prove, like you, treacherous to my sovereign; since you cannot be ignorant of my former actions in his late Majesty's service, from which principles of

Ireland and Scotland were now entirely subjected and reduced to tranquillity. Ireton, the new deputy of Ireland, at the head of a numerous army, 30,000 strong, prosecuted the work of subduing the revolted Irish, and he defeated them in many rencounters, which, though of themselves of no great moment, proved fatal to their declining cause. He punished without mercy all the prisoners who had any hand in the massacres. Sir Phelim O'Neale, among the rest, was, some time after, brought to the gibbet, and suffered an ignominious death, which he had so well merited by his inhuman cruelties. Limerick, a considerable town, still remained in the hands of the Irish; and Ireton, after a vigorous siege, made himself master of it. He was here infected with the plague, and shortly after died; a memorable personage, much celebrated for his vigilance, industry, capacity, even for the strict execution of justice in that unlimited command which he possessed in Ireland. He was observed to be inflexible in all his purposes, and it was believed by many, that he was animated with a sincere and passionate love of liberty, and never could have been induced by any motive, to submit to the smallest appearance of regal government. Cromwell appeared to be much affected by his death; and the republicans, who reposed great confidence in him, were inconsolable. To show their regard for his merit and services, they bestowed an estate of 2,000*l* a-year on his family, and honoured him with a magnificent funeral at the public charge. Though the established government was but the mere shadow of a commonwealth, yet was it beginning by proper arts to encourage that public spirit, which no other species of civil polity is ever able fully to inspire.

The command of the army in Ireland devolved on lieutenant-general Ludlow. The civil government of the island was entrusted to commissioners. Ludlow continued to push the advantages against the Irish, and everywhere obtained an easy victory. That unhappy people, disgusted with the king on account of those violent declarations against them and their religion, which had been extorted by the Scots, applied to the King of Spain, to the Duke of Lorraine, and found assistance nowhere. Clanricarde, unable to assist the prevailing power, made submissions to the parliament, and retired into England, where he soon after died. He was a steady catholic; but a man much respected by all parties.

The successes which attended Monk in Scotland were no less decisive. That able general laid siege to Stirling Castle, and though it was well provided for defence, it was soon surrendered to him. He there became master of all the records of the kingdom; and he sent them to England. The Earl of Leven, the Earl of Crawford, Lord Ogilvy, and other noblemen, having met near Perth in order to concert measures for raising a new army, were suddenly set upon by Colonel Alured, and most of them taken prisoners. Sir Philip

'loyalty I am no whit departed. I scorn your proffers. I disdain your favours. I abhor your treason, and am so far from delivering up this island to your advantage, that I shall keep it to the utmost of my power to your destruction. Take this for your final answer, and forbear any farther solicitations, for if you trouble me with any more messages of this nature, I will burn the paper and hang up the bearer. This is the immutable resolution, and shall be the undoubted practice of him who accounts it his chiefest glory to be his Majesty's most loyal and obedient subject.—DERBY.'

Musgrave, with some Scots, being engaged at Dumfries in a like enterprise, met with a like fate. Dundee was a town well fortified, supplied with a good garrison under Lumsden, and full of all the rich furniture, the plate, and money of the kingdom, which had been sent thither as to a place of safety. Monk appeared before it, and, having made a breach, gave a general assault. He carried the town, and, following the example and instructions of Cromwell, put all the inhabitants to the sword, in order to strike a general terror into the kingdom. Warned by this example, Aberdeen, St Andrew's, Inverness, and other towns and forts yielded, of their own accord, to the enemy. Argyle made his submissions to the English Commonwealth, and excepting a few royalists, who remained some time in the mountains, under the Earl of Glencairn, Lord Balcarras, and General Middleton, that kingdom, which had hitherto, through all ages, by means of its situation, poverty, and valour, maintained its independence, was reduced to total subjection.

The English Parliament sent Sir Harry Vane, St. John, and other commissioners to settle Scotland. These men, who possessed little of the true spirit of liberty, knew how to maintain the appearance of it, and they required the voluntary consent of all the counties and towns of this conquered kingdom before they would unite them into the same Commonwealth with England. The clergy protested; because, they said, this incorporating union would draw along with it a subordination of the Church to the State in the things of Christ (Whitlocke, p 496, Heathe's Chron p 207). English judges joined to some Scottish, were appointed to determine all causes, justice was strictly administered; order and peace maintained and the Scots, freed from the tyranny of the ecclesiastics, were not much dissatisfied with the present Government¹. The prudent conduct of Monk, a man who possessed a capacity for the arts both of peace and war, served much to reconcile the minds of men, and to allay their prejudices.

By the total reduction and pacification of the British dominions, the Parliament had leisure to look abroad, and to exert their vigour in foreign enterprises. The Dutch were the first that felt the weight of their arms.

During the life of Frederic Henry, Prince of Orange, the Dutch

¹ It had been a useful policy of the Presbyterian ecclesiastics to settle a chaplain in the great families, who acted as a spy upon his master, and gave them intelligence of the most private transactions and discourse, of the family, a signal instance of priestly tyranny and the subjection of the nobility. They even obliged the servants to give intelligence against their masters (Whitlocke, p 502). The same author (p 512) tells the following story — The synod meeting at Perth, and citing the ministers and people, who had expressed a dislike of *their heavenly government*, the men being out of the way, their wives resolved to answer for them. And on the day of appearance 120 women, with good clubs in their hands, came and besieged the church where the reverend ministers sat. They sent one of their number to treat with the females, and he threatening excommunication, they basted him for his labour, kept him prisoner, and sent a party of sixty, who routed the rest of the clergy, bruised their bodies sorely, took all their baggage and twelve horses. One of the ministers, after a mile's running, taking all creatures for his foes, meeting with a soldier, fell on his knees, who, knowing nothing of the matter, asked the blackcoat what he meant. The female conquerors, having had hold of the synod clerk, beat him till he forswore his office. Thirteen ministers rallied about four miles from the place, and voted that this village should never more have a synod in it, but be accursed, and that though in the years 1638 and 1639 the godly women were cried up for *stopping the bishops*, yet now the whole sex should be esteemed wicked.

republic had maintained a neutrality in the civil wars of England, and had never interposed, except by her good offices, between the contending parties. When William, who had married an English princess, succeeded to his father's commands and authority (1647), the states, both before and after the execution of the late king, were accused of taking steps more favourable to the royal cause, and of betraying a great prejudice against that of the Parliament. It was long before the envoy of the English Commonwealth could obtain an audience of the States-General. The murderers of Dorislaus were not pursued with such rigour as the Parliament expected. And much regard had been paid to the king, and many good offices performed to him, both by the public, and by men of all ranks in the United Provinces.

After the death of William, Prince of Orange (Oct. 17, 1650), which was attended with the depression of his party and the triumph of the Dutch republicans, the Parliament thought that the time was now favourable for cementing a closer confederacy with the states. St. John, chief justice, who was sent over to the Hague, had entertained the idea of forming a kind of coalition between the two republics, which would have rendered their interests totally inseparable¹ but fearing that so extraordinary a project would not be relished, he contented himself with dropping some hints of it, and openly went no further than to propose a strict defensive alliance between England and the United Provinces, such as has now, for near seventy years taken place between these friendly powers (Thurloe, vol. 1 p. 182). But the States, who were unwilling to form a nearer confederacy with a government whose measures were so obnoxious, and whose situation seemed so precarious, offered only to renew the former alliances with England. And the haughty St. John, disgusted with this disappointment, as well as incensed at many affronts which had been offered him with impunity by the retainers of the Palatine and Orange families, and, indeed by the populace in general, returned into England, and endeavoured to foment a quarrel between the republics.

The movements of great states are often directed by as slender springs as those of individuals. Though war with so considerable a naval power as the Dutch, who were at peace with all their other neighbours, might seem dangerous to the yet unsettled Commonwealth, there were several motives which at this time induced the English Parliament to embrace hostile measures. Many of the members thought that a foreign war would serve as a pretence for continuing the same Parliament, and delaying the new model of a representative, with which the nation had so long been flattered. Others hoped that the war would furnish a reason for maintaining, some time longer, that numerous standing army which was so much complained of¹. On the other hand, some, who dreaded the encreasing power of Cromwell, expected that the great expense of naval armaments would prove a motive for diminishing the military establishment. To divert the attention of the public from domestic quarrels towards foreign transactions, seemed, in the present disposition of

¹ We are told in the life of Sir Henry Vane, that that famous republican opposed the Dutch war, and that it was the military gentlemen chiefly who supported that measure.

men's minds, to be good policy. The superior power of the English Commonwealth, together with its advantages of situation, promised success: and the Parliamentary leaders hoped to gain many rich prizes from the Dutch, to distress and sink their flourishing commerce, and by victories to throw a lustre on their own establishment, which was so new and unpopular. All these views enforced by the violent spirit of St. John, who had great influence over Cromwell, determined the Parliament to change the purposed alliance into a furious war against the United Provinces.

To cover these hostile intentions, the parliament, under pretence of providing for the interests of commerce, embraced such measures as they knew would give disgust to the States. They framed the famous act of navigation, which prohibited all nations from importing into England in their bottoms any commodity which was not the growth and manufacture of their own country. By this law, though the terms in which it was conceived were general, the Dutch were principally affected, because their country produces few commodities, and they subsist chiefly by being the general carriers and factors of Europe. Letters of reprisal were granted to several merchants, who complained of injuries which they pretended they had received from the States, and above eighty Dutch ships fell into their hands, and were made prizes. The cruelties committed on the English at Amboyna, which were certainly enormous but which seemed to be buried in oblivion by a thirty years' silence, were again made the ground of complaint. And the allowing the murderers of Dorislaus to escape, and the conniving at the insults to which St. John had been exposed, were represented as symptoms of an unfriendly, if not a hostile disposition in the States.

The States, alarmed at all these steps, sent orders to their ambassadors to endeavour the renewal of the treaty of alliance, which had been broken off by the abrupt departure of St. John. Not to be unprepared, they equipped a fleet of 150 sail, and took care, by their ministers at London, to inform the council of state of that armament. This intelligence, instead of striking terror into the English republic, was considered as a menace, and further confirmed the parliament in their hostile resolutions. The minds of men in both states were, every day, more irritated against each other; and it was not long before these humours broke forth into action.

Tromp, an admiral of great renown, received from the States the command of a fleet of 42 sail, in order to protect the Dutch navigation against the privateers of the English. He was forced, by stress of weather, as he alleged, to take shelter in the Roads of Dover, where he met with Blake, who commanded an English fleet much inferior in number. Who was the aggressor in the action which ensued between these two admirals, both of them men of such prompt and fiery dispositions, it is not easy to determine, since each of them sent to his own state a relation totally opposite in all its circumstances to that of the other, and yet supported by the testimony of every captain in his fleet. Blake pretended that, having given a signal to the Dutch admiral to strike, Tromp, instead of complying, fired a broadside at him. Tromp asserted that he was preparing to strike, and that the English admiral,

nevertheless, began hostilities. It is certain that the admualty of Holland, who are distinct from the council of state, had given Tromp no orders to strike, but had left him to his own discretion with regard to that vain but much contested ceremonial. They seemed willing to introduce the claim of an equality with the new commonwealth, and to interpret the former respect paid the English flag as a deference due only to the monarchy. This circumstance forms a strong presumption against the narrative of the Dutch admiral. The whole Orange party, it must be remarked, to which Tromp was suspected to adhere, were desirous of a war with England.

Blake, though his squadron consisted only of 15 vessels, reinforced, after the battle began, by 8 under Captain Bourne, maintained the fight with bravery for five hours, and sunk one ship of the enemy, and took another. Night parted the combatants, and the Dutch fleet retired towards the coast of Holland. The populace of London were enraged, and would have insulted the Dutch ambassadors, who lived at Chelsea, had not the council of state sent guards to protect them.

When the States heard of this action, of which the consequences were easily foreseen, they were in the utmost consternation. They immediately dispatched Paw, Pensionary of Holland, as their ambassador extraordinary to London, and ordered him to lay before the parliament the narrative which Tromp had sent of the late encounter. They entreated them, by all the bands of their common religion, and common liberties, not to precipitate themselves into hostile measures, but to appoint commissioners, who should examine every circumstance of the action, and clear up the truth, which lay in obscurity. And they pretended, that they had given no orders to their admiral to offer any violence to the English, but would severely punish him, if they found, upon inquiry, that he had been guilty of an action which they so much disapproved. The imperious parliament would hearken to none of these reasons or remonstrances. Elated by the numerous successes which they had obtained over their domestic enemies, they thought that everything must yield to their fortunate arms, and they gladly seized the opportunity, which they sought, of making war upon the States. They demanded, that, without any farther delay or inquiry, reparation should be made for all the damages which the English had sustained. And when this demand was not complied with, they dispatched orders for commencing war against the United Provinces of Holland.

Blake sailed northwards with a numerous fleet, and fell upon the herring busses, which were escorted by 12 men-of-war. All these he either took or dispersed. Tromp followed him with a fleet of above 100 sail. When these two admirals were within sight of each other, and preparing for battle, a furious storm attacked them. Blake took shelter in the English harbours. The Dutch fleet was dispersed, and received great damage.

Sir George Ayscue, though he commanded only 40 ships, according to the English accounts, engaged (Aug. 16) near Plymouth, the famous De Ruyter, who had under him 50 ships of war, with 30 merchantmen. The Dutch ships were indeed of inferior force to the English. De Ruyter, the only admiral in Europe who has attained a renown equal

to that of the greatest general, defended himself so well, that Ayscue gained no advantage over him. Night parted them in the greatest heat of the action. De Ruyter next day sailed off with his convoy. The English fleet had been so shattered in the fight, that it was not able to pursue.

Near the coast of Kent, Blake, seconded by Bourne and Penn, met (Oct. 28) a Dutch squadron, nearly equal in numbers, commanded by De Witte and De Ruyter. A battle was fought much to the disadvantage of the Dutch. Their rear-admiral was boarded and taken. Two other vessels were sunk, and one blown up. The Dutch next day made sail towards Holland.

The English were not so successful in the Mediterranean. Van Galen, with much superior force, attacked Captain Bodily, and defeated him. He bought, however, his victory with the loss of his life.

Sea-fights are seldom so decisive as to disable the vanquished from making head in a little time against the victors. Tromp, seconded by De Ruyter, met (Nov. 29) near the Goodwins, with Blake, whose fleet was inferior to the Dutch, but who resolved not to decline the combat. A furious battle commenced, where the admirals on both sides, as well as the inferior officers and seamen, exerted great bravery. In this action the Dutch had the advantage. Blake himself was wounded. The Garland and Bonaventure were taken. Two ships were burned, and one sunk; and night came opportunely to save the English fleet. After this victory, Tromp, in a bravado, fixed a broom to his main-mast, as if he were resolved to sweep the sea entirely of all English vessels.

Great preparations were (A.D. 1653) made in England, in order to wipe off this disgrace. A gallant fleet of 80 sail was fitted out. Blake commanded, and Dean under him, together with Monk, who had been sent for from Scotland. When the English lay off Portland they descried, near break of day (Feb. 18), a Dutch fleet of 76 vessels sailing up the channel along with a convoy of 300 merchantmen, who had received orders to wait at the isle of Rhé till the fleet should arrive to escort them. Tromp, and, under him, De Ruyter, commanded the Dutch. This battle was the most furious that had yet been fought between these warlike and rival nations. Three days was the combat continued with the utmost rage and obstinacy, and Blake, who was victor, gained not more honour than Tromp, who was vanquished. The Dutch admiral made a skilful retreat, and saved all the merchant ships except thirty. He lost, however, 11 ships of war, had 2000 men slain, and near 1500 taken prisoners. The English, though many of their ships were extremely shattered, had but one sunk. Their slain were not much inferior in number to those of the enemy.

All these successes of the English were chiefly owing to the superior size of their vessels, an advantage which all the skill and bravery of the Dutch admirals could not compensate. By means of ship-money, an imposition which had been so much complained of, and, in some respects, with reason, the late king had put the navy into a situation which it had never attained in any former reign, and he ventured to build ships of a size which was then unusual. But the misfortunes which the Dutch met with in battle were small in comparison of

those which their trade sustained from the English. Their whole commerce by the channel was cut off even that to the Baltic was much infested by English privateers. Their fisheries were totally suspended. A great number of their ships, above 1600 had fallen into the hands of the enemy. And all this distress they suffered, not for any national interests or necessity, but from vain points of honour and personal resentments, of which it was difficult to give a satisfactory account to the public. They resolved, therefore, to gratify the pride of the parliament, and to make some advances towards peace. They met not, however, with a favourable reception, and it was not without pleasure that they learned the dissolution of that haughty assembly by the violence of Cromwell, an event from which they expected a more prosperous turn to their affairs.

The zealous republicans in the parliament had not been the chief or first promoters of the war, but, when it was once entered upon, they endeavoured to draw from it every possible advantage. On all occasions they set up the fleet in opposition to the army, and celebrated the glory and successes of their naval armaments. They insisted on the intolerable expense to which the nation was subjected, and urged the necessity of diminishing it, by a reduction of the land forces. They had ordered some regiments to serve on board the fleet, in the quality of marines. And Cromwell, by the whole train of their proceedings, evidently saw that they had entertained a jealousy of his power and ambition, and were resolved to bring him to a subordination under their authority. Without scruple or delay he resolved to prevent them.

On such firm foundations was built the credit of this extraordinary man, that though a great master of fraud and dissimulation, he judged it superfluous to employ any disguise in conducting this bold enterprise. He summoned a general council of officers, and immediately found that they were disposed to receive whatever impressions he was pleased to give them. Most of them were his creatures, and owed their advancement to his favour, and relied entirely upon him for their future preferment. The breach being already made between the military and civil powers, when the late king was seized at Holdenby, the general officers regarded the parliament as at once their creature and their rival, and thought that they themselves were entitled to share among them those offices and riches of which its members had so long kept possession. Harrison, Rich, Overton, and a few others, who retained some principle, were guided by notions so extravagant that they were easily deluded into measures the most violent and most criminal. And the whole army had already been guilty of such illegal and atrocious actions that they could entertain no farther scruple with regard to any enterprise which might serve their selfish or fanatical purposes.

In the council of officers it was presently voted to frame a remonstrance to the parliament. After complaining of the arrears due to the army, they there desired the parliament to reflect how many years they had sitten, and what professions they had formerly made of their intentions to new-model the representative and establish successive parliaments, who might bear the burthen of national affairs, from which they themselves would gladly, after so much danger and fatigue, be at last

relieved. They confessed that the parliament had achieved great enterprises, and had surmounted mighty difficulties, yet was it an injury, they said, to the rest of the nation to be excluded from bearing any part in the service of their country. It was now full time for them to give place to others, and they therefore desired them, after settling a council, who might execute the laws during the interval, to summon a new parliament and establish that free and equal government which they had so long promised to the people.

The parliament took this remonstrance in ill part, and made a sharp reply to the council of officers. The officers insisted on their advice, and, by mutual altercation and opposition, the breach became still wider between the army and the commonwealth. Cromwell, finding matters ripe for his purpose called (April 10) a council of officers, in order to come to a determination with regard to the public settlement. As he had here many friends so had he, also, some opponents. Harrison having assured the council that the general sought only to pave the way for the government of Jesus and his saints, Major Streater briskly replied that Jesus ought then to come quickly; for, if he delayed it till after Christmas, he would come too late, he would find his place occupied. While the officers were in debate Colonel Ingoldsby informed Cromwell that that parliament was sitting, and had come to a resolution not to dissolve themselves, but to fill up the house by new elections, and was at that very time engaged in deliberations with regard to this expedient. Cromwell, in a rage, immediately hastened to the house, and carried a body of 300 soldiers along with him. Some of them he placed at the door, some in the lobby, some on the stairs. He first addressed himself to his friend St John, and told him that he had come with a purpose of doing what grieved him to the very soul, and what he had earnestly with tears besought the Lord not to impose upon him, but there was a necessity, in order to the glory of God and good of the nation. He sat down for some time and heard the debate. He beckoned Harrison, and told him that he now judged the parliament ripe for a dissolution. 'Sir,' said Harrison, 'the work is very great and dangerous, I desire you seriously to consider before you engage in it.' 'You say well,' replied the general; and thereupon sat still about a quarter of an hour. When the question was ready to be put, he said again to Harrison, 'This is the time, I must do it.' And, suddenly starting up, he loaded the parliament with the vilest reproaches for their tyranny, ambition, oppression and robbery of the public. Then, stamping with his foot, which was a signal for the soldiers to enter, 'For shame,' said he to the parliament, 'get you gone, give place to honest men, to those who will more faithfully discharge their trust. You are no longer a parliament; I tell you, you are no longer a parliament. The Lord has done with you; he has chosen other instruments for carrying on his work.' Sir Harry Vane, exclaiming against this proceeding, he cried, with a loud voice, 'O! Sir Harry Vane, Sir Harry Vane!' The Lord deliver me from Sir Harry Vane!' Taking hold of Martin by the cloak, 'Thou art a whore-master,' said he. To another, 'Thou art an adulterer.' To a third, 'Thou art a drunkard and a glutton.' 'And thou an extortioner,' to a fourth. He commanded a soldier to seize the mace.

'What shall we do with this bauble? Here, take it away! It is you,' said he, 'addressing himself to the house, 'that have forced me upon 'this I have sought the Lord, night and day, that he would rather 'slay me than put me upon this work' Having commanded the soldiers to clear the hall, he himself went out the last, and, ordering the doors to be locked, departed to his lodgings in Whitehall

In this furious manner, which so well denotes his genuine character, did Cromwell, without the least opposition or even murmur, annihilate that famous assembly, which had filled all Europe with the renown of its actions, and with astonishment at its crimes, and whose commencement was not more ardently desired by the people than was its final dissolution. All parties now reaped successively the melancholy pleasure of seeing the injuries which they had suffered revenged on their enemies, and that, too, by the same arts which had been practised against them. The king had, in some instances, stretched his prerogative beyond its just bounds, and, aided by the church, had well nigh put an end to all the liberties and privileges of the nation. The presbyterians checked the progress of the court and clergy, and excited, by cant and hypocrisy, the populace, first to tumults, then to war, against the king, the peers, and all the royalists. No sooner had they reached the pinnacle of grandeur than the independents, under the appearance of still greater sanctity, instigated the army against them, and reduced them to subjection. The independents, amidst their empty dreams of liberty, or rather of dominion, were oppressed by the rebellion of their own servants, and found themselves at once exposed to the insults of power and hatred of the people. By recent, as well as all ancient example, it was become evident, that illegal violence, with whatever pretences it may be covered, and whatever object it may pursue, must inevitably end at last in the arbitrary and despotic government of a single person.

CHAPTER LXI.

Cromwell's birth and private life—Barebone's parliament—Cromwell made protector—Peace with Holland—A new parliament—Insurrection of the royalists—State of Europe—War with Spain—Jamaica conquered—Success and death of Admiral Blake—Domestic administration of Cromwell—Humble Petition and Advice—Dunkirk taken—Sickness of the protector—His death—and character

OLIVER CROMWELL, in whose hands the dissolution of the parliament had left the whole power, civil and military, of three kingdoms, was born at Huntingdon, the last year of the former century, of a good family, though he himself, being the son of a second brother, inherited but a small estate from his father. In the course of his education he had been sent to the university, but his genius was found little fitted for the calm and elegant occupations of learning, and

he made small proficiencies in his studies. He even threw himself into a dissolute and disorderly course of life, and he consumed, in gaming, drinking, debauchery, and country riots, the more early years of his youth, and dissipated part of his patrimony. All of a sudden, the spirit of reformation seized him, he married, affected a grave and composed behaviour, entered into all the zeal and rigour of the puritanical party, and offered to restore to every one whatever sums he had formerly gained by gaming. The same vehemence of temper, which had transported him into the extremes of pleasure, now distinguished his religious habits. His house was the resort of all the zealous clergy of the party; and his hospitality, as well as his liberalities to the silenced and deprived ministers, proved as chargeable as his former debaucheries. Though he had acquired a tolerable fortune by a maternal uncle, he found his affairs so injured by his expences, that he was obliged to take a farm at St. Ives, and apply himself, for some years, to agriculture as a profession. But this expedient served rather to involve him in farther debts and difficulties. The long prayers, which he said to his family in the morning, and again in the afternoon, consumed his own time and that of his ploughmen, and he reserved no leisure for the care of his temporal affairs. His active mind, superior to the low occupations to which he was condemned, preyed upon itself, and he indulged his imagination in visions, illuminations, revelations, the great nourishment of that hypochondriacal temper, to which he was ever subject. Urged by his wants and his piety, he had made a party with Hampden his near kinsman, who was pressed only by the latter motive to transport himself into New England, now become the retreat of the more zealous among the puritanical party, and it was an order of council which obliged them to disembark and remain in England. The Earl of Bedford, who possessed a large estate in the Fen Country, near the isle of Ely, having undertaken to drain these morasses, was obliged to apply to the king, and by the powers of the prerogative, he got commissioners appointed, who conducted that work, and divided the new-acquired land among the several proprietors. He met with opposition from many, among whom Cromwell distinguished himself, and this was the first public opportunity, which he had met with, of discovering the factious zeal and obstinacy of his character.

From accident and intrigue he was chosen by the town of Cambridge member of the long parliament. His domestic affairs were then in great disorder, and he seemed not to possess any talents, which could qualify him to rise in that public sphere into which he was now at last entered. His person was ungraceful, his dress slovenly, his voice untunable, his elocution homely, tedious, obscure, and embarrassed. The fervour of his spirit frequently prompted him to rise in the house, but he was not heard with attention. His name, for above two years, is not to be found oftener than twice in any committee, and those committees, into which he was admitted, were chosen for affairs, which would more interest the zealots than the men of business. In comparison of the eloquent speakers and fine gentlemen of the house, he was entirely overlooked, and his friend Hampden alone was acquainted with the depth of his genius, and foretold,

that, if a civil war should ensue, he would soon rise to eminence and to distinction

Cromwell himself seems to have been conscious where his strength lay; and partly from that motive, partly from the uncontrollable fury of his zeal, he always joined that party which pushed everything to extremities against the king. He was active in promoting the famous remonstrance, which was the signal for all the ensuing commotions; and when, after a long debate, it was carried by a small majority, he told Lord Falkland, that, if the question had been lost, he was resolved next day to have converted into ready money the remains of his fortune, and immediately to have left the kingdom. Nor was this resolution, he said, peculiar to himself: many others of his party he knew to be equally determined

He was no less than forty-three years of age, when he first embraced the military profession, and by force of genius, without any master, he soon became an excellent officer, though perhaps he never reached the fame of a consummate commander. He raised a troop of horse; fixed his quarters in Cambridge, exerted great severity towards that university, which zealously adhered to the royal party, and showed himself a man who would go all lengths in favour of that cause which he had espoused. He would not allow his soldiers to perplex their heads with those subtleties, of fighting by the king's authority against his person, and of obeying his majesty's commands signified by both houses of parliament. He plainly told them, that, if he met the king in battle, he would fire a pistol in his face as readily as against any other man. His troop of horse he soon augmented into a regiment; and he first instituted that discipline and inspired that spirit, which rendered the parliamentary armies in the end victorious. 'Your troops,' said he to Hampden, according to his own account (Conference held at Whitehall), 'are most of them old decayed serving men and tapsters, and such kind of fellows, the king's forces are composed of gentlemen's younger sons and persons of good quality. And do you think, that the mean spirits of such base and low fellows as ours will ever be able to encounter gentlemen, that have honour and courage and resolution in them?' You must get men of spirit and take it not ill that I say, of a spirit that is likely to go as far as gentlemen will go, or else I am sure you will still be beaten, as you have hitherto been, in every encounter.' He did as he proposed. He enlisted the sons of freeholders and farmers. He carefully invited into his regiment all the zealous fanatics throughout England. When they were collected in a body, their enthusiastic spirit still rose to a higher pitch. Their colonel, from his own natural character, as well as from policy, was sufficiently inclined to encrease the flame. He preached, he prayed, he fought, he punished, he rewarded. The wild enthusiasm, together with valour and discipline, still propagated itself, and all men cast their eyes on so pious and so successful a leader. From low commands he rose with great rapidity to be really the first, though in appearance only the second, in the army. By fraud and violence, he soon rendered himself the first in the state. In proportion to the encrease of his authority, his talents always seemed to expand themselves, and he displayed every day new abilities, which

had lain dormant, till the very emergence by which they were called forth into action. All Europe stood astonished to see a nation, so turbulent and unruly, who, for some doubtful encroachments on their privileges, had dethroned and murdered an excellent prince, descended from a long line of monarchs, now at last subdued and reduced to slavery by one, who, a few years before, was no better than a private gentleman, whose name was not known in the nation, and who was little regarded even in that low sphere to which he had always been confined.

The indignation, entertained by the people, against an authority, founded on such manifest usurpation, was not so violent as might naturally be expected. Congratulatory addresses, the first of the kind, were made to Cromwell by the fleet, by the army, even by many of the chief corporations and counties of England, but especially by the several congregations of saints, dispersed throughout the kingdom (Milton's State Papers). The royalists, though they could not love the man who had embued his hands in the blood of their sovereign, expected more lenity from him, than from the jealous and imperious republicans, who had hitherto governed. The presbyterians were pleased to see those men, by whom they had been outwitted and expelled, now in their turn expelled and outwitted by their own servant, and they applauded him, for this last act of violence upon the parliament. These two parties composed the bulk of the nation and kept the people in some tolerable temper. All men likewise, harassed with wars and factions, were glad to see any prospect of settlement. And they deemed it less ignominious to submit to a person of such admirable talents and capacity than to a few ignoble enthusiastic hypocrites, who, under the name of a republic, had reduced them to a most cruel subjection.

The republicans, being dethroned by Cromwell, were the party whose resentment he had the greatest reason to apprehend. That party, besides the independents, contained two sets of men, who are seemingly of the most opposite principles, but who were then united by a similitude of genius and of character. The first and most numerous were the millenarians, or fifth-monarchy men, who insisted, that, dominion being founded in grace, all distinction in magistracy must be abolished, except what arose from piety and holiness, who expected suddenly the second coming of Christ upon earth, and who pretended, that the saints in the mean while, that is, themselves, were alone entitled to govern. The second were the deists, who had no other object than political liberty, who denied entirely the truth of revelation, and insinuated, that all the various sects, so heated against each other, were alike founded in folly and in error. Men of such daring genuses were not contented with the ancient and legal forms of civil government, but challenged a degree of freedom beyond what they expected ever to enjoy under any monarchy. Martin, Challoner, Harrington, Sidney, Wildman, Nevil, were esteemed the heads of this small division.

The deists were perfectly hated by Cromwell because he had no hold of enthusiasm, by which he could govern or over-reach them; he therefore treated them with great rigour and disdain, and usually

denominated them the *heathens*. As the millenarians had a great interest in the army, it was much more important for him to gain their confidence, and their size of understanding afforded him great facility in deceiving them. Of late years it had been so usual a topic of conversation to discourse of parliaments and councils and senates, and the soldiers themselves had been so much accustomed to enter into that spirit, that Cromwell thought it requisite to establish something which might bear the face of a commonwealth. He supposed, that God, in his providence, had thrown the whole right, as well as power, of government into his hands, and without any more ceremony, by the advice of his council of officers, he sent summons to a hundred and twenty-eight persons of different towns and counties of England, to five of Scotland, to six of Ireland. He pretended, by his sole act and deed, to devolve upon these the whole authority of the state. This legislative power they were to exercise during fifteen months, and they were afterwards to choose the same number of persons, who might succeed them in that high and important office.

There were great numbers at that time, who made it a principle always to adhere to any power which was uppermost, and to support the established government. This maxim is not peculiar to the people of that age, but what may be esteemed peculiar to them, is, that there prevailed a hypocritical phrase for expressing so prudential a conduct: it was called a waiting upon providence. When providence, therefore, was so kind as to bestow on these men, now assembled together, the supreme authority, they must have been very ungrateful, if, in their turn, they had been wanting in complaisance towards her. They (July 4, A.D. 1653,) immediately voted themselves a parliament; and having their own consent, as well as that of Oliver Cromwell, for their legislative authority, they now proceeded very gravely to the exercise of it.

In this notable assembly were some persons of the rank of gentlemen, but the far greater part were low mechanics, fifth-monarchy men, anabaptists, antinomians, independents, the very dregs of the fanatics. They began with seeking God by prayer: this office was performed by eight or ten 'gifted' men of the assembly, and with so much success, that according to the confession of all, they had never before, in any of their devotional exercises, enjoyed so much of the Holy Spirit as was then communicated to them (Parl. Hist. vol. xx. p. 182). Their hearts were, no doubt, dilated when they considered the high dignity, to which they supposed themselves exalted. They had been told by Cromwell in his first discourse, that he never looked to see such a day, when Christ should be so owned.¹ They thought it,

¹ These are his expressions: 'Indeed, I have but one word more to say to you, though in that perhaps I shall show my weakness: it is by way of encouragement to you in this work, give me leave to begin thus: I confess I never looked to have seen such a day as this, it may be nor you neither, when Jesus Christ should be so owned as he is at this day and in this work. Jesus Christ is owned this day by your call, and you own him by your willingness to appear for him, and you manifest this (as far as poor creatures can do) to be a day of the power of Christ. I know you will remember that scripture: "He makes his people willing in the day of his power." God manifests it to be the day of the power of Christ, having through so much blood and so much trial as has been upon this nation, he makes this one of the greatest mercies, next to his own Son, to have his people called to the supreme authority. God hath owned his Son, and hath owned you, and hath made you to own him. I confess I never looked to have seen such a day. I did not.' I suppose at this passage he cried: for he was very much

therefore, their duty to proceed to a thorough reformation, and to pave the way for the reign of the Redeemer, and for that great work, which, it was expected, the Lord was to bring forth among them. All fanatics, being consecrated by their own fond imaginations, naturally bear an antipathy to the ecclesiastics, who claim a peculiar sanctity, derived merely from their office and priestly character. This parliament took into consideration the abolition of the clerical function, as savouring of popery, and the taking away of tythes, which they called a relict of Judaism. Learning also, and the universities were deemed heathenish and unnecessary. The common law was denominated a badge of the Conquest and of Norman slavery, and they threatened the lawyers with a total abrogation of their profession. Some steps were even taken towards an abolition of the chancery (Whitlocke, pp 543, 548), the highest court of judicature in the kingdom, and the Mosaic law was intended to be established as the sole system of English jurisprudence (Conference held at Whitehall).

Of all the extraordinary schemes adopted by these legislators, they had not leisure to finish any, except that which established the legal solemnization of marriage by the civil magistrate alone, without the interposition of the clergy. They found themselves exposed to the derision of the public. Among the fanatics of the house there was an active member, much noted for his long prayers, sermons, and harangues. He was a leather-seller in London, his name 'Praise-god Barebone'. This ridiculous name, which seems to have been chosen by some poet or allegorist to suit so ridiculous a personage, struck the fancy of the people, and they commonly affixed to this assembly the appellation of Barebone's parliament.¹

The Dutch ambassadors endeavoured to enter into negotiation with this parliament, but though protestants and even presbyterians, they met with a bad reception from those who pretended to a sanctity so much superior. The Hollanders were regarded as worldly-minded men, intent only on commerce and industry, whom it was fitting the

given to weeping, and could at any time shed abundance of tears. The rest of the speech may be seen among Milton's State Papers, p. 106. It is very curious, and full of the same obscurity, confusion, embarrassment, and absurdity, which appear in almost all Oliver's productions.

¹ It was usual for the pretended saints at that time to change their names from Henry, Edward, Anthony, William, which they regarded as heathenish, into others more sanctified and godly: even the New Testament names, James, Andrew, John, Peter, were not held in such regard as those which were borrowed from the Old Testament, Hezekiah, Habbakuk, Joshua, Zerobabel. Sometimes a whole godly sentence was adopted as a name. Here are the names of a jury said to be enclosed in the county of Sussex about that time.

Accepted, Trevor of Norsham
Redeemed, Compton of Battle
Fruit Not, Hewit of Huthfield
Make Peace, Heaton of Hare
God Reward, Smart of Fivehurst
Standfast on High, Stringer of Crowhurst.
Faith, Adams, of Warblinton
Called, Lower, of the same
Kill Sin, Pimple of Witham

Return, Spelman of Watling
Be Faithful, Joiner of Drinting
Fly Debate, Roberts of the same
Fight the good Fight of Faith, White of Emer.
More Fruit, Fowler of East Hadley.
Hope for, Bending of the same
Graceful, Harding of Lewes
Weep not, Billing of the same
Meck, Brewer of Okeham

See Broome's Travels into England, p. 279. 'Cromwell,' says Cleveland, 'hath beat up his drums clean through the Old Testament. You may learn the genealogy of our Saviour by the names of his regiment. The muster-master has no other list than the first chapter of St. Matthew.' The brother of this Praise-god Barebone had for name, 'If Christ had not died for you, you had been damned Barebone.' But the people tired of this long name, retained only the last word, and commonly gave him the appellation of 'Damned Barebone.'

saints should first extirpate, ere they undertook that great work, to which they believed themselves destined by providence, of subduing Antichrist, the man of sin, and extending to the uttermost bounds of the earth the kingdom of the Redeemer (Thurloe, vol 1 pp 273, 591; Stubbe, p 91). The ambassadors finding themselves proscribed, not as enemies of England, but of Christ, remained in astonishment, and knew not which was most to be admired, the implacable spirit or egregious folly of these pretended saints

Cromwell began to be ashamed of his legislature. If he ever had any design in summoning so preposterous an assembly beyond amusing the populace and the army; he had intended to alarm the clergy and lawyers; and he had so far succeeded as to make them desire any other government, which might secure their professions, now brought in danger by these desperate fanatics. Cromwell himself was dissatisfied, that the parliament, though they had derived all their authority from him, began to pretend power from the Lord (Thurloe, vol 1 p 393), and to insist already on their divine commission. He had been careful to summon in his writs several persons entirely devoted to him. By concert, these met (Dec 12) early, and it was mentioned by some among them, that the sitting of this parliament any longer would be of no service to the nation. They hastened, therefore, to Cromwell, along with Rouse, their speaker; and by a formal deed of assignment, restored into his hands that supreme authority which they had so lately received from him. General Harrison and about twenty more remained in the house, and that they might prevent the reign of the saints from coming to an untimely end, they placed one Moyer in the chair, and began to draw up protests. They were soon interrupted by Colonel White, with a party of soldiers. He asked them what they did there. 'We are seeking the Lord,' said they. 'Then you may go elsewhere,' replied he. 'for to my certain knowledge, he has not been here these many years'

The military being now, in appearance, as well as in reality, the sole power which prevailed in the nation, Cromwell thought fit to indulge a new fancy for he seems not to have had any deliberate plan in all these alterations. Lambert his creature, who, under the appearance of obsequiousness to him, indulged an unbounded ambition, proposed in a council of officers to adopt another scheme of government, and to temper the liberty of a commonwealth by the authority of a single person, who should be known by the appellation of protector. Without delay, he prepared what was called 'the instrument of government,' containing the plan of this new legislature; and as it was supposed to be agreeable to the general, it was immediately voted by the council of officers. Cromwell was declared protector, and with great solemnity installed in that high office.

So little were these men endowed with the spirit of legislation; that they confessed, or rather boasted, that they had employed only four days in drawing this instrument, by which the whole government of three kingdoms was pretended to be regulated and adjusted to all succeeding generations. There appears no difficulty in believing them, when it is considered how crude and undigested a system of civil polity they endeavoured to establish. The chief articles of the

instrument are these a council was appointed, which was not to exceed twenty-one, nor be less than thirteen persons. These were to enjoy their office during life or good behaviour, and in case of a vacancy, the remaining members named three, of whom the protector chose one. The protector was appointed supreme magistrate of the commonwealth in his name was all justice to be administered, from him were all magistracy and honours derived, he had the power of pardoning all crimes, excepting murder and treason, to him the benefit of all forfeitures devolved. The right of peace, war, and alliance, rested in him, but in these particulars he was to act by the advice and with the consent of his council. The power of the sword was vested in the protector jointly with the parliament, while it was sitting, or with the council of state in the intervals. He was obliged to summon a parliament every three years, and allow them to sit five months, without adjournment, prorogation, or dissolution. The bills, which they passed, were to be presented to the protector for his assent; but if within twenty days it were not obtained, they were to become laws by the authority alone of parliament. A standing army for Great Britain and Ireland was established, of 20,000 foot and 10,000 horse, and funds were assigned for their support. These were not to be diminished without consent of the protector, and in this article alone he assumed a negative. During the intervals of parliament, the protector and council had the power of enacting laws, which were to be valid till the next meeting of parliament. The chancellor, treasurer, admiral, chief governors of Ireland and Scotland, and the chief justices of both the benches, must be chosen with the approbation of parliament, and in the intervals, with the approbation of the council, to be afterwards ratified by parliament. The protector was to enjoy his office during life, and on his death, the place was immediately to be supplied by the council. This was the instrument of government enacted by the council of officers, and solemnly sworn to by Oliver Cromwell. The council of state, named by the instrument were fifteen, men entirely devoted to the protector, and by reason of the opposition among themselves in party and principles, not likely ever to combine against him.

Cromwell said that he accepted the dignity of protector merely that he might exert the duty of a constable, and preserve peace in the nation. Affairs indeed were brought to that pass, by the furious animosities of the several factions, that the extensive authority and even arbitrary power of some first magistrate was become a necessary evil, in order to keep the people from relapsing into blood and confusion. The independents were too small a party ever to establish a popular government, or entrust the nation, where they had so little interest, with the free choice of its representatives. The presbyterians had adopted the violent maxims of persecution, incompatible at all times with the peace of society, much more with the wild zeal of those numerous sects which prevailed among the people. The royalists were so much enraged by the injuries which they had suffered, that the other prevailing parties would never submit to them, who, they knew, were enabled, merely by the execution of the ancient laws, to take severe vengeance upon them. Had Cromwell been guilty of no

crime but this temporary usurpation, the plea of necessity and public good, which he alleged, might be allowed, in every view, a reasonable excuse for his conduct

During the variety of ridiculous and distracted scenes which the civil government exhibited in England, the military force was exerted with vigour, conduct, and unanimity, and never did the kingdom appear more formidable to all foreign nations. The English fleet, consisting of 100 sail, and commanded by Monk and Dean, and under them by Penn and Lawson, met, near the coast of Flanders, with the Dutch fleet, equally numerous, and commanded by Tromp. The two republics were not inflamed by any national antipathy, and their interests very little interfered: yet few battles have been disputed with more fierce and obstinate courage than were those many naval combats which were fought during this short, but violent war. The desire of remaining sole lords of the ocean animated these states to an honourable emulation against each other. After a battle of two days, in the first of which Dean was killed, the Dutch, inferior in the size of their ships, were obliged, with great loss, to retire into their harbours. Blake, towards the end of the fight, joined his countrymen with eighteen sail. The English fleet lay off the coast of Holland, and totally interrupted the commerce of that republic.

The ambassadors, whom the Dutch had sent over to England, gave them hopes of peace. But as they could obtain no cessation of hostilities, the States, unwilling to suffer any longer the loss and dishonour of being blockaded by the enemy, made the utmost efforts to recover their injured honour. Never on any occasion did the power and vigour of that republic appear in a more conspicuous light. In a few weeks they had repaired and manned their fleet; and they equipped some ships of a larger size than any which they had hitherto sent to sea. Tromp issued out, determined again to fight the victors, and to die rather than to yield the contest. He met (July 29) with the enemy, commanded by Monk, and both sides immediately rushed into the combat. Tromp, gallantly animating his men, with his sword drawn, was shot through the heart with a musket-ball. This event alone decided the battle in favour of the English. Though near 30 ships of the Dutch were sunk and taken, they little regarded this loss compared with that of their brave admiral.

Meanwhile the negotiations of peace were continually advancing. The States, overwhelmed with the expense of the war, terrified by their losses, and mortified by their defeats, were extremely desirous of an accommodation with an enemy whom they found, by experience, too powerful for them. The king having shown an inclination to serve on board their fleet, though they expressed their sense of the honour intended them, they declined an offer which might inflame the quarrel with the English commonwealth. The great obstacle to the peace was found not to be any animosity on the part of the English, but, on the contrary, a desire too earnest of union and confederacy. Cromwell had revived the chimerical scheme of a coalition with the United Provinces; a total conjunction of government, privileges, interests, and councils. This project appeared so wild to the States, that they wondered any man of sense could ever entertain it, and

they refused to enter into conferences with regard to a proposal which could serve only to delay any practicable scheme of accommodation. The peace was (April 15, A D 1654) at last signed by Cromwell, now invested with the dignity of Protector, and it proves sufficiently that the war had been impolitic, since, after the most signal victories, no terms more advantageous could be obtained. A defensive league was made between the two republics. They agreed, each of them, to banish the enemies of the other, those who had been concerned in the massacre of Amboyna were to be punished, if any remained alive; the honour of the flag was yielded to the English, 85,000*l* were stipulated to be paid by the Dutch East India Company for losses which the English company had sustained, and the island of Pole-rone in the East Indies was promised to be ceded to the latter.

Cromwell, jealous of the connexions between the royal family and that of Orange, insisted on a separate article, that neither the young prince nor any of his family should ever be invested with the dignity of stadtholder. The province of Holland, strongly prejudiced against that office, which they esteemed dangerous to liberty, secretly ratified this article. The protector, knowing that the other provinces would not be induced to make such a concession, was satisfied with this security.

The Dutch war being successful, and the peace reasonable, brought credit to Cromwell's administration. An act of justice, which he exercised at home, gave likewise satisfaction to the people, though the regularity of it may perhaps appear somewhat doubtful. Don Pantaleon Sa, brother to the Portuguese ambassador, and joined with him in the same commission (Thurloe, vol 11 p 429), fancying himself to be insulted, came upon the exchange, armed and attended by several servants. By mistake, he fell on a gentleman, whom he took for the person that had given him the offence, and having butchered him with many wounds, he and all his attendants took shelter in the house of the Portuguese ambassador, who had connived at this base enterprise (Thurloe, vol 1 p 616). The populace surrounded the house, and threatened to set fire to it. Cromwell sent a guard, who seized all the criminals. They were brought to trial and notwithstanding the opposition of the ambassador, who pleaded the privileges of his office, Don Pantaleon was executed on Tower-hill. The laws of nations were here plainly violated but the crime committed by the Portuguese gentleman was to the last degree atrocious, and the vigorous chastisement of it, suiting so well the undaunted character of Cromwell, was universally approved of at home and admired among foreign nations. The situation of Portugal obliged that court to acquiesce, and the ambassador soon after signed with the protector a treaty of peace and alliance, which was very advantageous to the English commerce.

Another act of severity, but necessary in his situation, was, at the very same time, exercised by the protector, in the capital punishment of Geiard and Vowel, two royalists, who were accused of conspiring against his life. He had erected a high court of justice for their trial; an infringement of the ancient laws, which at this time was become familiar, but one to which no custom or precedent could reconcile the

nation. Juries were found altogether unmanageable. The restless Lilburn, for new offences, had been brought to a new trial; and had been acquitted with new triumph and exultation. If no other method of conviction had been devised during this illegal and unpopular government, all its enemies were assured of entire impunity.

The protector had occasion to observe the prejudices entertained against his government, by the disposition of the parliament, which he summoned on Sept. 3, that day of the year on which he gained his two great victories of Dunbar and Worcester, and which he always regarded as fortunate for him. It must be confessed, that, if we are left to gather Cromwell's intentions from his instrument of government, it is such a motley piece, that we cannot easily conjecture, whether he seriously meant to establish a tyranny or a republic. On one hand, a first magistrate, in so extensive a government, seemed necessary both for the dignity and tranquillity of the state; and the authority, which he assumed as protector, was, in some respects, inferior to the prerogatives, which the laws entrusted and still entrust to the king. On the other hand, the legislative power, which he reserved to himself and council, together with so great an army, independent of the parliament, were bad prognostics of his intention to submit to a civil and legal constitution. But if this were not his intention, the method in which he distributed and conducted the elections, being so favourable to liberty, form an inconsistency which is not easily accounted for. He deprived of their right of election all the small boroughs, places the most exposed to influence and corruption. Of 400 members, which represented England, 270 were chosen by the counties. The rest were elected by London, and the more considerable corporations. The lower populace too, so easily guided or deceived, were excluded from the elections. An estate of 200*l* value was necessary to entitle any one to a vote. The elections of this parliament were conducted with perfect freedom; and, excepting that such of the royalists as had borne arms against the parliament and all their sons were excluded, a more fair representation of the people could not be desired or expected. Thirty members were returned from Scotland; as many from Ireland.

The protector seems to have been disappointed, when he found, that all these precautions, which were probably nothing but covers to his ambition, had not procured him the confidence of the public. Though Cromwell's administration was less odious to every party than that of any other party, yet was it entirely acceptable to none. The royalists had been instructed by the king to remain quiet, and to cover themselves under the appearance of republicans, and they found in this latter faction such inveterate hatred against the protector, that they could not wish for more zealous adversaries to his authority. It was maintained by them, that the pretence of liberty and a popular election was but a new artifice of this great deceiver, in order to lay asleep the deluded nation, and give himself leisure to rivet their chains more securely upon them. That in the instrument of government he openly declared his intention of still retaining the same mercenary army, by whose assistance he had subdued the ancient established government, and who would with less scruple obey him, in overturning, whenever

he should please to order them, that new system, which he himself had been pleased to model that being sensible of the danger and uncertainty of all military government, he endeavoured to intermix some appearance, and but an appearance, of civil administration, and to balance the army by a seeming consent of the people that the absurd trial, which he had made, of a parliament, elected by himself, appointed perpetually to elect their successors, plainly proved, that he aimed at nothing but temporary expedients, was totally averse to a free republican government, and possessed not that mature and deliberate reflection, which could qualify him to act the part of a legislator that this imperious character, which had betrayed itself in so many incidents could never seriously submit to legal limitations, nor would the very image of popular government be longer upheld than while conformable to his arbitrary will and pleasure and that the best policy was to oblige him to take off the mask at once, and either submit entirely to that parliament which he had summoned, or by totally rejecting its authority, leave himself no resource but in his seditious and enthusiastic army

In prosecution of these views, the parliament, having heard the protector's speech, three hours long (Thurloe, vol. 11 p. 588), and having chosen Lenthall for their speaker, immediately entered into a discussion of the pretended instrument of government, and of that authority, which Cromwell, by the title of protector, had assumed over the nation. The greatest liberty was used in arraigning this new dignity, and even the personal character and conduct of Cromwell escaped not without censure. The utmost that could be obtained by the officers and by the court party, for so they were called, was to protract the debate by arguments and long speeches, and prevent the decision of a question, which, they were sensible, would be carried against them by a great majority. The protector, surprised and enraged at this refractory spirit in the parliament, which however he had so much reason to expect, sent for them to the painted chamber, and with an air of great authority inveighed against their conduct. He told them, that nothing could be more absurd than for them to dispute his title, since the same instrument of government, which made them a parliament, had invested him with the protectorship, that some points in the new constitution were supposed to be fundamentals, and were not, on any pretence, to be altered or disputed, that among these were the government of the nation by a single person and a parliament, their joint authority over the army and militia, the succession of new parliaments, and liberty of conscience, and that, with regard to these particulars, there was reserved to him a negative voice to which, in the other circumstances of government, he confessed himself no wise entitled.

The protector now found the necessity of exacting a security, which, had he foreseen the spirit of the house, he would with better grace have required at their first meeting (Thurloe, vol. 11 p. 620). He obliged the members to sign a recognition of his authority, and an engagement not to propose or consent to any alteration in the government, as it was settled in a single person and a parliament; and he placed guards at the door of the house, who allowed none but subscribers to enter. Most of the members, after some hesitation, submitted to this condition, but retained the same refractory spirit, which they had dis-

covered in their first debates. The instrument of government was taken in pieces, and examined, article by article, with the most scrupulous accuracy. very free topics were advanced with the general approbation of the house, and during the whole course of their proceedings they neither sent up one bill to the protector, nor took any notice of him. Being informed, that conspiracies were entered into between the members and some malcontent officers, he hastened to the dissolution of so dangerous an assembly. By the instrument of government, to which he had sworn, no parliament could be dissolved, till it had sitten five months, but Cromwell pretended, that a month contained only twenty-eight days, according to the method of computation practised in paying the fleet and army. The full time, therefore, according to this reckoning, being elapsed, the parliament was ordered to attend (Jan 22, A D. 1655) the protector, who made them a tedious, confused, angry harangue, and dismissed them. Were we to judge of Cromwell's capacity by this, and indeed by all his other compositions, we should be apt to entertain no very favourable idea of it. But in the great variety of human geniuses, there are some, which, though they see their object clearly and distinctly in general, yet, when they come to unfold its parts by discourse and writing, lose that luminous conception, which they had before attained. All accounts agree in ascribing to Cromwell a tiresome, dark, unintelligible elocution, even when he had no intention to disguise his meaning: yet no man's actions were ever, in such a variety of difficult incidents, more decisive and judicious.

The electing of a discontented parliament is a proof of a discontented nation: the angry and abrupt dissolution of that parliament is always sure to increase the general discontent. The members of this assembly, returning to their counties, propagated that spirit of mutiny, which they had exerted in the house. Sir Harry Vane and the old republicans, who maintained the indissoluble authority of the long parliament, encouraged the murmurs against the present usurpation; though they acted so cautiously as to give the protector no handle against them. Wildman and some others of that party carried still farther their conspiracies against the protector's authority. The royalists, observing this general ill-will towards the establishment, could no longer be retained in subjection, but fancied, that every one, who was dissatisfied like them, had also embraced the same views and inclinations. They did not consider, that the old parliamentary party, though many of them were displeased with Cromwell, who had dispossessed them of their power, were still more apprehensive of any success to the royal cause; whence, besides a certain prospect of the same consequence, they had so much reason to dread the severest vengeance for their past transgressions.

In concert with the king a conspiracy was entered into by the royalists throughout England; and a day of general rising appointed. Information of this design was conveyed to Cromwell. The protector's administration was extremely vigilant. Thurloe, his secretary, had spies everywhere. Manning, who had access to the king's family, kept a regular correspondence with him. And it was not difficult to obtain intelligence of a confederacy, so generally diffused among a party, who

valued themselves more on zeal and courage, than on secrecy and sobriety. Many of the royalists were thrown into prison. Others, on the approach of the day, were terrified with the danger of the undertaking, and remained at home. In one place alone the conspiracy broke into action. Penruddock, Groves, Jones, and other gentlemen of the west, entered Salisbury (March 11) with about 200 horse, at the very time when the sheriff and judges were holding the assizes. These they made prisoners, and they proclaimed the king. Contrary to their expectations, they received no accession of force, so prevalent was the terror of the established government. Having in vain wandered about for some time, they were totally discouraged, and one troop of horse was able at last to suppress them. The leaders of the conspiracy, being taken prisoners, were capitally punished. The rest were sold for slaves, and transported to Barbadoes.

The easy subduing of this insurrection, which, by the boldness of the undertaking, struck at first a great terror into the nation, was a singular felicity to the protector, who could not, without danger, have brought together any considerable body of his mutinous army, in order to suppress it. The very insurrection itself he regarded as a fortunate event, since it proved the reality of those conspiracies, which his enemies, on every occasion, represented as mere fictions, invented to colour his tyrannical severities. He resolved to keep no longer any terms with the royalists, who, though they were not perhaps the most implacable of his enemies, were those whom he could oppress under the most plausible pretences, and who met with least countenance and protection from his adherents. He issued an edict with the consent of his council, for exacting the tenth penny from that whole party, in order, as he pretended, to make them pay the expences, to which their mutinous disposition continually exposed the public. Without regard to compositions, articles of capitulation, or acts of indemnity, all the royalists, however harassed with former oppressions, were obliged anew to redeem themselves by great sums of money, and many of them were reduced by these multiplied disasters to extreme poverty. Whoever was known to be disaffected, or even lay under any suspicion, though no guilt could be proved against him, was exposed to the new exaction.

In order to raise this imposition, which commonly passed by the name of decimation, the protector instituted twelve major-generals; and divided the whole kingdom of England into so many military jurisdictions (Parl Hist vol xx p 433). These men, assisted by commissioners, had power to subject whom they pleased to decimation, to levy all the taxes imposed by the protector and his council, and to imprison any person who should be exposed to their jealousy or suspicion; nor was there any appeal from them but to the protector himself and his council. Under colour of these powers, which were sufficiently exorbitant, the major-generals exercised an authority still more arbitrary, and acted as if absolute masters of the property and person of every subject. All reasonable men now concluded, that the very mask of liberty was thrown aside, and that the nation was for ever subjected to military and despotic government, exercised not in the legal manner of European nations, but according to the maxims of eastern tyranny.

Not only the supreme magistrate owed his authority to illegal force and usurpation—he had parcelled out the people into so many subdivisions of slavery, and had delegated to his inferior ministers the same unlimited authority, which he himself had so violently assumed.

A government, totally military and despotic, is almost sure, after some time, to fall into impotence and languor; but when it immediately succeeds a legal constitution, it may at first, to foreign nations, appear very vigorous and active, and may exert with more unanimity that power, spirit, and riches which had been acquired under a better form. It seems now proper, after so long an interval, to look abroad to the general state of Europe, and to consider the measures which England at this time embraced in its negotiations with the neighbouring princes. The moderate temper and unwarlike genius of the two last princes, the extreme difficulties under which they laboured at home, and the great security which they enjoyed from foreign enemies, had rendered them negligent of the transactions on the continent, and England, during their reigns, had been, in a manner, overlooked in the general system of Europe. The bold and restless genius of the protector led him to extend his alliances and enterprises to every part of Christendom, and partly from the ascendant of his magnanimous spirit, partly from the situation of foreign kingdoms, the weight of England, even under its most legal and bravest princes, was never more sensibly felt than during this unjust and violent usurpation.

A war of thirty years, the most signal and most destructive that had appeared in modern annals, was at last finished in Germany (in 1648), and by the treaty of Westphalia were composed those fatal quarrels which had been excited by the Palatine's precipitate acceptance of the crown of Bohemia. The young Palatine was restored to part of his dignities and of his dominions.¹ The rights, privileges, and authority of the several members of the Germanic body were fixed and ascertained. Sovereign princes and free states were in some degree reduced to obedience under laws, and by the valour of the heroic Gustavus, the enterprises of the active Richelieu, the intrigues of the artful Mazarine, was in part effected, after an infinite expense of blood and treasure, what had been fondly expected and loudly demanded from the feeble efforts of the pacific James, seconded by the scanty supplies of his jealous parliaments.

Sweden, which had acquired by conquest large dominions in the north of Germany, was engaged in enterprises which promised her, from her success and valour, still more extensive acquisitions on the side both of Poland and of Denmark. Charles X, who had mounted the throne of that kingdom after the voluntary resignation of Christina, being stimulated by the fame of Gustavus, as well as by his own martial disposition, carried his conquering arms to the south of the Baltic, and gained the celebrated battle of Warsaw, which had been obstinately disputed during the space of three days. The protector, at the time his alliance was courted by every power in Europe, anxiously courted the alliance of Sweden—and he was fond of forming

¹ This prince, during the civil wars, had much neglected his uncle and paid court to the parliament—he accepted of a pension of 8,000*l.* a year from them, and took a place in their assembly of divines.

a confederacy with a protestant power of such renown, even though it threatened the whole north with conquest and subjection

The transactions of the parliament and protector with France had been various and complicated. The emissaries of Richelieu had furnished fuel to the flame of rebellion, when it first broke out in Scotland, but after the conflagration had diffused itself, the French court, observing the materials to be of themselves sufficiently combustible, found it unnecessary any longer to animate the British malcontents to an opposition of their sovereign. On the contrary, they offered their mediation for composing these intestine disorders, and their ambassadors, from decency, pretended to act in concert with the court of England, and to receive directions from a prince, with whom their master was connected with so near an affinity. Meanwhile Richelieu died, and soon after him the French king, Louis XIII., leaving his son an infant four years old, and his widow, Anne of Austria, regent of the kingdom. Cardinal Mazarine succeeded Richelieu in the ministry, and the same general plan of policy, though by men of such opposite characters, was still continued in the French counsels. The establishment of royal authority, the reduction of the Austrian family, were pursued with ardour and success, and every year brought an accession of force and grandeur to the French monarchy. Not only battles were won, towns and fortresses taken, the genius too of the nation seemed gradually to improve, and to compose itself to the spirit of dutiful obedience and of steady enterprise. A Condé, a Turenne were formed, and the troops, animated by their valour, and guided by their discipline, acquired every day a greater ascendancy over the Spaniards. All of a sudden, from some intrigues of the court, and some discontents in the courts of judicature, intestine commotions were excited, and everything relapsed into confusion. But these rebellions of the French, neither ennobled by the spirit of liberty, nor disgraced by the fanatical extravagances which distinguished the British civil wars, were conducted with little bloodshed, and made but a small impression on the minds of the people. Though seconded by the force of Spain, and conducted by the Prince of Condé, the malcontents, in a little time, were either expelled or subdued, and the French monarchy, having lost a few of its conquests, returned with fresh vigour to the acquisition of new dominion.

The Queen of England and her son Charles, during these commotions, passed most of their time at Paris, and notwithstanding their near connexion of blood, received but few civilities, and still less support, from the French court. Had the queen regent been ever so much inclined to assist the English prince, the disorders of her own affairs would, for a long time, have rendered such intentions impracticable. The banished queen had a moderate pension assigned her, but it was so ill-paid, and her credit ran so low, that, one morning, when the Cardinal de Retz waited on her, she informed him that her daughter, the Princess Henrietta, was obliged to lie abed for want of a fire to warm her. To such a condition was reduced, in the midst of Paris, a queen of England, and daughter of Henry IV. of France!

The English parliament, however, having assumed the sovereignty of the state, resented the countenance, cold as it was, which the French

court gave to the unfortunate monarch. On pretence of injuries, of which the English merchants complained, they issued letters of reprisal upon the French, and Blake went so far as to attack and seize a whole squadron of ships, which were carrying supplies to Dunkirk, then closely besieged by the Spaniards. That town, disappointed of these supplies, fell into the hands of the enemy. The French ministers soon found it necessary to change their measures. They treated Charles with such affected indifference, that he thought it more decent to withdraw, and prevent the indignity of being desired to leave the kingdom. He went first to Spa, thence he retired to Cologne, where he lived two years on a small pension, about 6000*l.* a year, paid him by the court of France, and on some contributions sent him by his friends in England. In the management of his family, he discovered a disposition to order and economy, and his temper cheerful, careless, and sociable, was more than a sufficient compensation for that empire, of which his enemies had bereaved him. Sir Edward Hyde, created lord chancellor, and the Marquess of Ormond, were his chief friends and confidants.

If the French ministry had thought it prudent to bend under the English parliament, they deemed it still more necessary to pay deference to the protector when he assumed the reins of government. Cardinal Mazarine, by whom all the councils of France were directed, was artful and vigilant, supple and patient, false and intriguing; desirous rather to prevail by dexterity than violence, and placing his honour more in the final success of his measures than in the splendor and magnanimity of the means which he employed. Cromwell, by his imperious character, rather than by the advantage of his situation, acquired an ascendancy over this man, and every proposal made by the protector, however unreasonable in itself, and urged with whatever insolence, met with a ready compliance from the politic and timid cardinal. Bordeaux was sent over to England as minister, and all circumstances of respect were paid to the daring usurper, who had imbrued his hands in the blood of his sovereign, a prince so nearly related to the royal family of France. With indefatigable patience did Bordeaux conduct this negotiation, which Cromwell seemed entirely to neglect, and though privateers, with English commissions, committed daily depredations on the French commerce, Mazarine was content, in hopes of a fortunate issue, still to submit to these indignities.¹

The court of Spain, less connected with the unfortunate royal family, and reduced to greater distress than the French monarchy, had been still more forward in her advances to the prosperous parliament and protector. Don Alonzo de Cardenas, the Spanish envoy, was the first public minister who recognized the authority of the new republic, and, in return for this civility, Ascham was sent envoy into Spain by the parliament. No sooner had this minister arrived in Madrid than some of the banished royalists, inflamed by that inveterate hatred which animated the English factions, broke into his chamber and murdered

¹ Thurloe, vol. iii. pp. 103, 619, 653. In the treaty, which was signed after long negotiation, the protector's name was inserted before the French king's in that copy which remained in England (Thurloe, vol. vi. p. 116, vol. vii. p. 178).

him, together with his secretary. Immediately they took sanctuary in the churches; and, assisted by the general favour, which everywhere attended the royal cause, were enabled, most of them, to make their escape. Only one of the criminals suffered death, and the parliament seemed to rest satisfied with this atonement.

Spain, at this time, assailed everywhere by vigorous enemies from without, and labouring under many internal disorders, retained nothing of her former grandeur, except the haughty pride of her counsels, and the hatred and jealousy of her neighbours. Portugal had rebelled, and established her monarchy in the house of Braganza. Catalonia, complaining of violated privileges, had revolted to France. Naples was shaken with popular convulsions. The Low Countries were invaded with superior forces, and seemed ready to change their master. The Spanish infantry, anciently so formidable, had been annihilated by Condé in the fields of Rocroy. And though the same prince, banished France, sustained, by his activity and valour, the falling fortunes of Spain, he could only hope to protract, not prevent, the ruin with which that monarchy was visibly threatened.

Had Cromwell understood and regarded the interests of his country, he would have supported the declining condition of Spain against the dangerous ambition of France, and preserved that balance of power on which the greatness and security of England so much depend. Had he studied only his own interests, he would have maintained an exact neutrality between those great monarchies, nor would he have hazarded his ill-acquired and unsettled power by provoking foreign enemies, who might lend assistance to domestic faction and overturn his tottering throne. But his magnanimity undervalued danger. His active disposition and avidity of extensive glory made him incapable of repose. And as the policy of men is continually warped by their temper, no sooner was peace made with Holland than he began to deliberate what new enemy he should invade with his victorious arms.

The extensive empire and yet extreme weakness of Spain in the West Indies, the vigorous courage and great naval power of England, were circumstances which, when compared, excited the ambition of the enterprising protector, and made him hope that he might by some gainful conquest render for ever illustrious that dominion which he had assumed over his country. Should he fail of these durable acquisitions, the Indian treasures, which must every year cross the ocean to reach Spain, were, he thought, a sure prey to the English navy, and would support his military force without his laying new burdens on the discontented people. From France a vigorous resistance must be expected. No plunder, no conquests could be hoped for. The progress of his arms, even if attended with success, must there be slow and gradual, and the advantages acquired, however real, would be less striking to the multitude whom it was his interest to allure. The royal family, so closely connected with the French monarch, might receive great assistance from that neighbouring kingdom, and an army of French protestants, landed in England, would be able, he dreaded, to unite the most opposite factions against the present usurpation.¹

¹ See the account of the negotiations with France and Spain by Thurloe, vol. 1 p. 759.

These motives of policy were probably seconded by his bigoted prejudices, as no human mind ever contained so strange a mixture of sagacity and absurdity as that of this extraordinary personage. The Swedish alliance, though much contrary to the interests of England, he had contracted merely from his zeal for protestantism,¹ and Sweden, being closely connected with France, he could not hope to maintain that confederacy, in which he so much prided himself, should a rupture ensue between England and this latter kingdom (Thurloe, vol. 1 p. 759). The Hugonots, he expected, would meet with better treatment while he engaged in a close union with their sovereign (Thurloe, vol. 1 p. 759). And, as the Spaniards were much more papists than the French, were much more exposed to the old puritanical hatred (Thurloe, vol. 1 p. 759), and had even erected the bloody tribunal of the inquisition, whose rigours they had refused to mitigate on Cromwell's solicitation,² he hoped that a holy and meritorious war with such idolaters could not fail of protection from heaven (Carlington, p. 191). A picacher, likewise, inspired, as was supposed, by a prophetic spirit, bid him 'go and prosper,' calling him, 'a stone cut out of the mountains, without hands, that would break the pride of the Spaniard, crush antichrist, and make way for the purity of the Gospel over the whole world' (Bates).

Actuated equally by these bigoted, these ambitious, and these interested motives, the protector equipped two considerable squadrons, and while he was making those preparations, the neighbouring states, ignorant of his intentions, remained in suspense, and looked with anxious expectation on what side the storm should discharge itself. One of these squadrons, consisting of 30 capital ships, was sent into the Mediterranean under Blake, whose fame was now spread over Europe. No English fleet, except during the Crusades, had ever before sailed in those seas, and from one extremity to the other, there was no naval force, Christian or Mahometan, able to resist them. The Roman pontiff, whose weakness and whose pride equally provoke attacks, dreaded invasion from a power which professed the most inveterate enmity against him, and which so little regulated its movements by the usual motives of interest and prudence. Blake, casting anchor before Leghorn, demanded and obtained from the Duke of Tuscany reparation for some losses which the English commerce had formerly sustained from him. He next sailed to Algiers, and compelled the dey to make peace, and to restrain his piratical subjects from farther violences on the English. He presented himself before Tunis, and having there made the same demands, the dey, of that republic bade him look to the castles of Porto Faino and Goletta, and do his utmost. Blake needed not to be roused by such a bravado: he drew his ships close up to the castles, and tore them in pieces with his artillery. He sent a numerous detachment of sailors in their long boats into the harbour, and burned every ship which lay there. This bold action, which its very temerity, perhaps, rendered safe, was

¹ He proposed to Sweden a general league and confederacy of all the protestants (Whitlocke, p. 620. Thurloe, vol. vii. p. 2). In order to judge of the maxims, by which he conducted his foreign politics, see Thurloe, vol. iv. pp. 295, 343, 443. vol. vii. p. 174.

² Thurloe, vol. 1 p. 759. Don Alonzo said, that the Indian trade and the inquisition were his master's two eyes, and the protector insisted upon the putting out both of them at once.

executed with little loss, and filled all that part of the world with the renown of English valour

The other squadron was not equally successful. It was commanded by Penn, and carried on board 4000 men, under the command of Venables. About 5000 more joined them from Barbadoes and St. Christopher's. Both these officers were inclined to the king's service (Clarendon), and it is pretended that Cromwell was obliged to hurry the soldiers on board, in order to prevent the execution of a conspiracy which had been formed among them, in favour of the exiled family (Vita D. Berwick, p. 121). The ill success of this enterprise may justly be ascribed, as much to the injudicious schemes of the protector, who planned it, as to the bad execution of the officers, by whom it was conducted. The soldiers were the refuse of the whole army, the forces, enlisted in the West Indies, were the most profligate of mankind. Penn and Venables were of incompatible tempers; the troops were not furnished with arms fit for such an expedition; their provisions were defective both in quantity and quality; all hopes of pillage, the best incentive to valour among such men, were refused the soldiers and seamen; no directions or intelligence were given to conduct the officers in their enterprise; and at the same time, they were tied down to follow the advice of commissioners, who disconcerted them in all their projects.¹

It was agreed by the admiral and general to attempt St. Domingo, the only place of strength in the island of Hispaniola. On the approach (April 13) of the English the Spaniards in a fright deserted their houses, and fled into the woods. Contrary to the opinion of Venables, the soldiers were disembarked without guides ten leagues distant from the town. They wandered four days through the woods without provisions, and what was still more intolerable in that sultry climate, without water. The Spaniards recovered spirit and attacked them. The English discouraged with the bad conduct of their officers, and scarcely alive from hunger, thirst, and fatigue, were unable to resist. An inconsiderable number of the enemy put the whole army to rout, killed 600 of them, and chased the rest on board their vessels.

The English commanders, in order to atone as much as possible for this unprosperous attempt, bent their course to Jamaica, which was surrendered to them without a blow. Penn and Venables returned to England, and were both of them sent to the Tower by the protector, who, though commonly master of his fiery temper, was thrown into a violent passion at this disappointment. He had made a conquest of greater importance than he was himself at that time aware of, yet was it much inferior to the vast projects which he had formed. He gave orders, however, to support it by men and money, and that island has ever since remained in the hands of the English, the chief acquisition which they owe to the enterprising spirit of Cromwell.

As soon as the news of this expedition, which was an unwarrantable violation of treaty, arrived in Europe, the Spaniards declared war against England, and seized all the ships and goods of English merchants, of which they could make themselves masters. The com-

¹ Burchet's Naval Hist., Carte's Collect. vol. II. p. 46, Thurloe, vol. III. p. 505.

merce with Spain, so profitable to the English, was cut off, and near 1500 vessels, it is computed,¹ fell in a few years into the hands of the enemy Blake, to whom Montague was now joined in command, after receiving new orders, prepared himself for hostilities against the Spaniards

Several sea officers, having entertained scruples of conscience with regard to the justice of the Spanish war, threw up their commissions, and retired (Thurloe, vol. iv. p. 570, 589). No commands, they thought, of their superiors could justify a war, which was contrary to the principles of natural equity, and which the civil magistrate had no right to order. Individuals, they maintained, in resigning to the public their natural liberty, could bestow on it only what they themselves were possessed of, a right of performing lawful actions, and could invest it with no authority of commanding what is contrary to the decrees of heaven. Such maxims, though they seem reasonable, are perhaps too perfect for human nature, and must be regarded as one effect, though of the most innocent and even honourable kind, of that spirit, partly fanatical, partly republican, which predominated in England.

Blake lay some time off Cadiz, in expectation of intercepting the Plate fleet, but was at last obliged, for want of water, to make sail towards Portugal. Captain Stayner, whom he had left on the coast with a squadron of seven vessels, came (Sept. A. D. 1656) in sight of the galleons, and immediately set sail to pursue them. The Spanish admiral ran his ship ashore; two others followed his example; the English took two ships valued at near two millions of pieces of eight. Two galleons were set on fire, and the Marquess of Badajoz, Viceroy of Peru, with his wife and his daughter, betrothed to the young Duke of Medina Celi, were destroyed in them. The marquess himself might have escaped; but seeing these unfortunate women, astonished with the danger, fall in a swoon, and perish in the flames, he rather chose to die with them than drag out a life, embittered with the remembrance of such dismal scenes (Thurloe, vol. v. p. 433). When the treasures, gained by this enterprise, arrived at Portsmouth, the protector, from a spirit of ostentation, ordered them to be transported by land to London.

The next action against the Spaniards was more honourable, though less profitable to the nation. Blake having heard that a Spanish fleet of sixteen ships, much richer than the former, had taken shelter in the Canaries, immediately made sail towards them. He found them in the bay of Santa Cruz, disposed in a formidable posture. The bay was secured with a strong castle, well provided with cannon, besides seven forts in several parts of it, all united by a line of communication, manned with musqueteers. Don Diego Diaques, the Spanish admiral, ordered all his smaller vessels to moor close to the shore, and posted the larger galleons farther off, at anchor, with their broadsides to the sea.

Blake was rather animated than daunted with this appearance. The wind seconded his courage, and blowing full into the bay, in a moment brought him among the thickest of his enemies. After a

¹ Thurloe, vol. iv. p. 235, *World's Mistake in Oliver Cromwell*, Harl. Miscel. vol. 1.

resistance of four hours, the Spaniards yielded to English valour, and abandoned their ships, which were set on fire, and consumed with all their treasure. The greatest danger still remained to the English. They lay under the fire of the castles and all the forts, which must, in a little time, have torn them in pieces. But the wind, suddenly shifting, carried them out of the bay, where they left the Spaniards in astonishment at the happy temerity of their audacious victors.

This was the last and greatest action of the gallant Blake. He was consumed with a diopsy and scurvy, and hastened home, that he might yield up his breath in his native country, which he had so much adorned by his valour. As he came within sight of land, he expired (April 20, 1657). Never man, so zealous for a faction, was so much respected and esteemed even by the opposite factions. He was by principle an inflexible republican, and the late usurpations, amidst all the trust and caresses, which he received from the ruling powers, were thought to be very little grateful to him. 'It is still our duty,' he said to the seamen, 'to fight for our country, into what hands soever the government may fall.' Disinterested, generous, liberal, ambitious only of true glory, dreadful only to his avowed enemies, he forms one of the most perfect characters of the age, and the least stained with those errors and violences, which were then so predominant. The protector ordered him a pompous funeral at the public charge, but the tears of his countrymen were the most honourable panegyric on his memory.

The conduct of the protector in foreign affairs, though imprudent and impolitic, was full of vigour and enterprise, and drew a consideration to this country, which since the reign of Elizabeth, it seemed to have totally lost. The great mind of this successful usurper was intent on spreading the renown of the English nation, and while he struck mankind with astonishment at his extraordinary fortune, he seemed to ennoble, instead of debasing, that people, whom he had reduced to subjection. It was his boast, that he would render the name of an Englishman as much feared and revered as ever was that of a Roman; and as his countrymen found some reality in these pretensions, their national vanity being gratified, made them bear with more patience all the indignities and calamities under which they laboured.

It must also be acknowledged, that the protector, in his civil and domestic administration, displayed as great regard both to justice and clemency, as his usurped authority, derived from no law, and founded only on the sword, could possibly permit. All the chief offices in the courts of judicature were filled with men of integrity. Amidst the virulence of faction, the decrees of the judges were upright and impartial. And to every man but himself, and to himself, except where necessity required the contrary, the law was the great rule of conduct and behaviour. Vane and Lilburn, whose credit with the republicans and levellers he dreaded, were indeed for some time confined to prison. Cony, who refused to pay illegal taxes, was obliged by menaces to depart from his obstinacy. High courts of justice were erected to try those who had engaged in conspiracies and insurrections against the protector's authority, and whom he could not safely commit to the verdict of juries. But these irregularities were deemed inevitable

consequences of his illegal authority. And though often urged by his officers, as is pretended (Clarendon, *Life of Dr Berwick, &c.*), to attempt a general massacre of the royalists, he always with horror rejected such sanguinary counsels.

In the army was laid the sole basis of the protector's power; and in managing it consisted the chief art and delicacy of his government. The soldiers were held in exact discipline, a policy, which both accustomed them to obedience, and made them less hateful and burthensome to the people. He augmented their pay, though the public necessities sometimes obliged him to run in arrears to them. Their interests, they were sensible, were closely connected with those of their general and protector. And he entirely commanded their affectionate regard, by his abilities and success in almost every enterprise which he had hitherto undertaken. But all military government is precarious, much more where it stands in opposition to civil establishments, and still more, where it encounters religious prejudices. By the wild fanaticism, which he had nourished in the soldiers, he had seduced them into measures, for which if openly proposed to them, they would have entertained the utmost aversion. But this same spirit rendered them more difficult to be governed, and made their caprices terrible even to that hand which directed their movements. So often taught, that the office of king was an usurpation upon Christ, they were apt to suspect a protector not to be altogether compatible with that divine authority. Harrison, though raised to the highest dignity, and possessed of Cromwell's confidence, became his most inveterate enemy as soon as the authority of a single person was established, against which that usurper had always made such violent protestations. Overton, Rich, Okey, officers of rank in the army, were actuated with like principles, and Cromwell was obliged to deprive them of their commissions. Their influence, which was before thought unbounded among the troops, seemed from that moment to be totally annihilated.

The more effectually to curb the enthusiastic and seditious spirit of the troops, Cromwell established a kind of militia in the several counties. Companies of infantry and cavalry were enlisted under proper officers, regular pay distributed among them, and a resource by that means provided both against the insurrections of the royalists, and mutiny of the army.

Religion can never be deemed a point of small consequence in civil government; but during this period, it may be regarded as the great spring of men's actions and determinations. Though transported, himself, with the most frantic whimsies, Cromwell had adopted a scheme for regulating this principle in others, which was sagacious and political. Being resolved to maintain a national church, yet determined neither to admit episcopacy nor presbytery, he established a number of commissioners, under the name of 'tryers,' partly laymen, partly ecclesiastics, some presbyterians, some independents. These presented to all livings, which were formerly in the gift of the crown; they examined and admitted such persons as received holy orders; and they inspected the lives, doctrine, and behaviour of the clergy. Instead of supporting that union between learning and theology,

which has so long been attempted in Europe, these tryers embraced the latter principle in its full purity, and made it the sole object of their examination. The candidates were no more perplexed with questions concerning their progress in Greek and Roman erudition; concerning their talent for profane arts and sciences the chief object of scrutiny regarded their advances in grace, and fixing the critical moment of their conversion.

With the pretended saints of all denominations Cromwell was familiar and easy. Laying aside the state of protector, which, on other occasions, he well knew how to maintain, he insinuated to them, that nothing but necessity could ever oblige him to invest himself with it. He talked spiritually to them, he sighed, he wept, he canted, he prayed. He even entered with them into an emulation of ghostly gifts, and these men, instead of grieving to be outdone in their own way, were proud, that his princely example, had dignified those practices, in which they themselves were daily occupied.¹

If Cromwell might be said to adhere to any particular form of religion, they were the independents who could chiefly boast of his favour, and it may be affirmed that such pastors of that sect, as were not passionately addicted to civil liberty, were all of them devoted to him. The presbyterian clergy also, saved from the ravages of the anabaptists and millenarians, and enjoying their establishments and tythes, were not averse to his government, though he still entertained a great jealousy of that ambitious and restless spirit by which they were actuated. He granted an unbounded liberty of conscience, to all but catholics and prelatists, and by that means, he both attached the wild sectaries to his person, and employed them in curbing the domineering spirit of the presbyterians. 'I am the only man,' he was often heard to say, 'who has known how to subdue that insolent sect, which can suffer none but itself.'

The protestant zeal, which possessed the presbyterians and independents, was highly gratified by the haughty manner in which the protector so successfully supported the persecuted protestants throughout all Europe. Even the Duke of Savoy, so remote a power, and so little exposed to the naval force of England, was obliged, by the authority of France, to comply with his mediation, and to tolerate the protestants of the valleys, against whom that prince had commenced a furious persecution. France itself was constrained to bear not only with the religion, but even, in some instances, with the seditious insolence of the Hugonots, and when the French court applied for a reciprocal toleration of the catholic religion in England, the protector, who arrogated in every thing the superiority, would hearken to no such proposal. He had entertained a project of instituting a college in imitation of that at Rome, for the propagation of the faith, and his

¹ Cromwell followed, though but in part, the advice which he received from General Harrison, at the time when the intimacy and endearment most strongly subsisted between them. 'Let the waiting upon Jehovah,' said that military saint, 'be the greatest and most considerable business you have every day reckon it so more than to eat, sleep and council together. Run aside sometimes from your company and get a word with the Lord. Why should not you have three or four precious souls always standing at your elbow, with whom you might now and then turn into a corner, I have found refreshment and mercy in such a way' (Milton's State Papers, p. 12)

apostles, in zeal, though not in unanimity, had certainly been a full match for the catholics

Cromwell retained the church of England in constraint, though he permitted its clergy a little more liberty than the republican parliament had formerly allowed. He was pleased, that the superior lenity of his administration should in every thing be remarked. He bridled the royalists, both by the army which he retained, and by those secret spies, which he found means to intermix in all their counsels. Manning being detected and punished with death, he corrupted Sir Richard Willis, who was much trusted by chancellor Hyde and all the royalists, and by means of this man he was let into every design and conspiracy of the party. He could disconcert any project, by confining the persons who were to be the actors in it, and as he restored them afterwards to liberty, his severity passed only for the result of general jealousy and suspicion. The secret source of his intelligence remained still unknown and unsuspected.

Conspiracies for an assassination he was chiefly afraid of, these being designs which no prudence or vigilance could evade. Colonel Titus, under the name of Allen, had written a spirited discourse, exhorting every one to embrace this method of vengeance, and Cromwell knew, that the inflamed minds of the royal party were sufficiently disposed to put the doctrine in practice against him. He openly told them, that assassinations were base and odious, and he never would commence hostilities by so shameful an expedient; but if the first attempt or provocation came from them, he would retaliate to the uttermost. He had instruments, he said, whom he could employ; and he never would desist, till he had totally exterminated the royal family. This menace, more than all his guards, contributed to the security of his person.¹

There was no point about which the protector was more solicitous than to procure intelligence. This article alone, it is said, cost him 60,000*l* a-year. Postmasters, both at home and abroad, were in his pay; carriers were searched or bribed; secretaries and clerks were corrupted; the greatest zealots in all parties were often those who conveyed private information to him; and nothing could escape his vigilant enquiry. Such at least is the representation made by historians of Cromwell's administration; but it must be confessed, that, if we may judge by those volumes of Thurloe's papers, which have been lately published, this affair, like many others, has been greatly magnified. We scarcely find by that collection, that any secret counsels of foreign states, except those of Holland which are not expected to be concealed, were known to the protector.

The general behaviour and deportment of this man, who had been raised from a very private station, who had passed most of his youth

¹ About this time an accident had almost robbed the protector of his life, and saved his enemies the trouble of all their machinations. Having got six fine Friesland coach-horses as a present from the court of Oldenburgh, he undertook for his amusement to drive them about Hyde Park, his secretary, Thurloe, being in the coach. The horses were startled and ran away; he was unable to command them or keep the box. He fell upon the pole, was dragged upon the ground for some time; a pistol, which he carried in his pocket, went off, and by that singular good fortune which ever attended him, he was taken up without any considerable hurt or bruise.

in the country, and who was still constrained so much to frequent bad company, was such as might befit the greatest monarch. He maintained a dignity without either affectation or ostentation, and supported with all strangers that high idea with which his great exploits and prodigious fortune had impressed them. Among his ancient friends he could relax himself, and by trifling and amusement, jesting and making verses, he feared not exposing himself to their most familiar approaches (Whitlocke, p. 647). With others, he sometimes pushed matters to the length of rustic buffoonery, and he would amuse himself by putting burning coals into the boots and hose of the officers who attended him (Bates). Before the king's trial, a meeting was agreed on between the chiefs of the republican party and the general officers, in order to concert the model of that free government which they were to substitute in the room of the monarchical constitution, now totally subverted. After debates on this subject, the most important that could fall under the discussion of human creatures, Ludlow tells us that Cromwell, by way of frolic, threw a cushion at his head, and when Ludlow took up another cushion, in order to return the compliment, the general ran down stairs, and had almost fallen in the hurry. When the high court of justice was signing the warrant for the execution of the king, a matter, if possible, still more serious, Cromwell taking the pen in his hand before he subscribed his name, bedaubed with ink the face of Martin, who sat next him, and the pen being delivered to Martin, he practised the same frolic upon Cromwell (*Trial of the Regicides*). He frequently gave feasts to his inferior officers, and when the meat was set upon the table, a signal was given, the soldiers rushed in upon them, and with much noise, tumult, and confusion, ran away with all the dishes, and disappointed the guests of their expected meal (Bates).

That vein of frolic and pleasantry which made a part, however inconsistent, of Cromwell's character, was apt, sometimes, to betray him into other inconsistencies, and to discover itself even where religion might seem to be a little concerned. It is a tradition, that, one day sitting at table, the protector had a bottle of wine brought him, of a kind which he valued so highly that he must needs open the bottle himself, but, in attempting it, the corkscrew dropt from his hand. Immediately his courtiers and generals flung themselves on the floor to recover it. Cromwell burst out a-laughing. 'Should any fool,' said he, 'put in his head at the door, he would fancy, from your posture, that you were seeking the Lord, and you are only seeking a corkscrew.'

Amidst all the unguarded play and buffoonery of this singular personage he took the opportunity of remarking the characters, designs, and weaknesses of men, and he would sometimes push them by an indulgence in wine to open to him the most secret recesses of their bosom. Great regularity, however, and even austerity of manners, were always maintained in his court, and he was careful never by any liberties to give offence to the most rigid of the godly. Some state was upheld, but with little expense, and without any splendour. The nobility, though counted by him, kept at a distance, and disdained to intermix with those mean persons who were the instruments of his

government Without departing from economy he was generous to those who served him, and he knew how to find out and engage in his interests every man possessed of those talents which any particular employment demanded. His generals, his admirals, his judges, his ambassadors, were persons who contributed, all of them, in their several spheres to the security of the protector and to the honour and interest of the nation

Under pretence of uniting Scotland and Ireland in one commonwealth with England, Cromwell had reduced those kingdoms to a total subjection, and he treated them entirely as conquered provinces The civil administration of Scotland was placed in a council consisting mostly of English, of which Lord Bioghill was president Justice was administered by seven judges, four of whom were English In order to curb the tyrannical nobility he both abolished all vassalage (Whitlocke, p 570), and revived the office of justice of peace, which king James had introduced, but was not able to support (Thurloe, vol iv. p 57) A long line of forts and garrisons was maintained throughout the kingdom An army of 10,000 men (Thurloe, vol vi p 557) kept everything in peace and obedience, and neither the banditti of the mountains, nor the bigots of the low countries, could indulge their inclination to turbulence and disorder He courted the presbyterian clergy, though he nourished that intestine enmity which prevailed between the resolutioners and protesters, and he found that very little policy was requisite to foment quarrels among theologians He permitted no church assemblies, being sensible that from thence proceeded many of the past disorders And, in the main, the Scots were obliged to acknowledge that never before, while they enjoyed their irregular, factious liberty, had they attained so much happiness as at present when reduced to subjection under a foreign nation

The protector's administration of Ireland was more severe and violent The government of that island was first entrusted to Fleetwood, a notorious fanatic, who had married Ireton's widow, then to Henry Cromwell, second son of the protector, a young man of an amiable, mild disposition, and not destitute of vigour and capacity About five millions of acres, forfeited either by the popish rebels or by the adherents of the king, were divided, partly among the adventurers, who had advanced money to the parliament, partly among the English soldiers, who had arrears due to them Examples of a more sudden and violent change of property are scarcely to be found in any history An order was even issued to confine all the native Irish to the province of Connaught, where they would be shut up by rivers, lakes, and mountains, and could not, it was hoped, be any longer dangerous to the English government But this barbarous and absurd policy, which, from an impatience of attaining immediate security, must have depopulated all the other provinces and rendered the English estates of no value, was soon abandoned as impracticable

Cromwell began to hope that by his administration, attended with so much lustre and success abroad, so much order and tranquillity at home, he had now acquired such authority as would enable him to meet the representatives of the nation, and would assure him of their dutiful compliance with his government He summoned a parlia-

ment, but, not trusting altogether to the goodwill of the people, he used every art which his new model of representation allowed him to employ, in order to influence the elections and fill the house with his own creatures. Ireland, being entirely in the hands of the army, chose few but such officers as were most acceptable to him. Scotland showed a like compliance. and, as the nobility and gentry of that kingdom regarded their attendance on English parliaments as an ignominious badge of slavery, it was, on that account, more easy for the officers to prevail in the elections. Notwithstanding all these precautions, the protector still found that the majority would not be favourable to him. He (Sept 17) set guards, therefore, on the door, who permitted none to enter but such as produced a warrant from his council, and the council rejected about a hundred, who either refused a recognition of the protector's government or were, on other accounts, obnoxious to him. These protested against so egregious a violence subversive of all liberty, but every application for redress was neglected both by the council and the parliament.

The majority of the parliament, by means of these arts and violences, was now at last either friendly to the protector or resolved, by their compliance, to adjust, if possible, this military government to their laws and liberties. They voted a renunciation of all title in Charles Stuart or any of his family, and this was the first act dignified with the appearance of national consent which had ever had that tendency. Colonel Jephson, in order to sound the inclinations of the house, ventured to move that the parliament should bestow the crown on Cromwell, and no surprise or reluctance was discovered on the occasion. When Cromwell afterwards asked Jephson what induced him to make such a motion, 'As long,' said Jephson, 'as I have the honour to sit in parliament I must follow the dictates of my own conscience, whatever offence I may be so unfortunate as to give you.' 'Get thee gone!' said Cromwell, giving him a gentle blow on the shoulder, 'get thee gone, for a mad fellow, as thou art!'

In order to pave the way to this advancement, for which he so ardently longed, Cromwell resolved to sacrifice his major-generals, whom he knew to be extremely odious to the nation. That measure was also become necessary for his own security. All government, purely military, fluctuates perpetually between a despotic monarchy and a despotic aristocracy, according as the authority of the chief commander prevails, or that of the officers next him in rank and dignity. The major-generals, being possessed of so much distinct jurisdiction, began to establish a separate title to power, and had rendered themselves formidable to the protector himself, and for this inconvenience, though he had not foreseen it, he well knew, before it was too late, to provide a proper remedy. Claypole, his son-in-law, who possessed his confidence, abandoned them to the pleasure of the house, and though the name was still retained, it was agreed to abide, or rather entirely annihilate the power of the major-generals.

At length, a motion in form was made by Alderman Pack, one of the city members, for investing the protector with the dignity of King. This motion, at first, excited great disorder, and divided the whole house into parties. The chief opposition came from the usual

adherents of the protector, the major-generals, and such officers as depended on them. Lambert, a man of deep intrigue, and of great interest in the army, had long entertained the ambition of succeeding Cromwell in the protectorship; and he foresaw, that, if the monarchy were restored, hereditary right would also be established, and the crown be transmitted to the posterity of the prince first elected. He pleaded, therefore, conscience, and rousing all those civil and religious jealousies against kingly government, which had been so industriously encouraged among the soldiers, and which served them as a pretence for so many violences, he raised a numerous, and still more formidable party against the motion.

On the other hand, the motion was supported by every one who was more particularly devoted to the protector, and who hoped, by so acceptable a measure, to pay court to the prevailing authority. Many persons also, attached to their country, despaired of ever being able to subvert the present illegal establishment, and were desirous, by fixing it on ancient foundations, to induce the protector, from views of his own safety, to pay a regard to the ancient laws and liberties of the kingdom. Even the royalists imprudently joined in the measure; and hoped, that, when the question regarded only persons, not forms of government, no one would any longer balance between the ancient royal family and an ignoble usurper, who, by blood, treason, and perfidy, had made his way to the throne. The bill was (April 9, A.D. 1657) voted by a considerable majority; and a Committee was appointed to reason with the protector, and to overcome those scruples which he pretended against accepting so liberal an offer.

The conference lasted for several days. The committee urged, that all the statutes and customs of England were founded on the supposition of regal authority, and could not, without extreme violence, be adjusted to any other form of government. That a protector, except during the minority of a king, was a name utterly unknown to the laws, and no man was acquainted with the extent or limits of his authority. That if it were attempted to define every part of his jurisdiction, many years, if not ages, would be required for the execution of so complicated a work, if the whole power of the king were at once transferred to him, the question was plainly about a name, and the preference was indisputably due to the ancient title. That the English constitution was more anxious concerning the form of government than concerning the birthright of the first magistrate, and had provided, by an express law of Henry VII. for the security of those who act in defence of the king in being, by whatever means he might have acquired possession. That it was extremely the interest of all his Highness's friends to seek the shelter of this statute; and even the people in general were desirous of such a settlement, and in all juries were with great difficulty induced to give their verdict in favour of a protector. That the great source of all the late commotions had been the jealousy of liberty; and that a republic, together with a protector, had been established in order to provide farther securities for the freedom of the constitution, but that by experience the remedy had been found insufficient, even dangerous and pernicious, since every undeterminate power, such as that of a protector, must be arbitrary;

and the more arbitrary, as it was contrary to the genius and inclination of the people

The difficulty consisted not in persuading Cromwell. He was sufficiently convinced of the solidity of these reasons, and his inclination, as well as judgment, was entirely on the side of the committee. But how to bring over the soldiers to the same way of thinking, was the question. The office of king had been painted to them in such horrible colours, that there were no hopes of reconciling them suddenly to it, even though bestowed upon their general, to whom they were so much devoted. A contradiction, open and direct, to all past professions, would make them pass, in the eyes of the whole nation, for the most shameless hypocrites, instigated, by no other than mercenary motives, in the cause of the most perfidious traitor. Principles such as they were, had been encouraged in them by every consideration, human and divine, and though it was easy, where interest concurred, to deceive them by the thinnest disguises, it might be found dangerous at once to pull off the mask, and to shew them in a full light the whole crime and deformity of their conduct. Suspended between these fears and his own most ardent desires, Cromwell protracted the time, and seemed still to oppose the reasonings of the committee; in hopes that by artifice he might be able to reconcile the refractory minds of the soldiers to his new dignity.

While the protector argued so much in contradiction both to his judgment and inclination, it is no wonder that his elocution, always confused, embarrassed, and unintelligible, should be involved in tenfold darkness and discover no glimmering of common sense or reason. An exact account of this conference remains, and may be regarded as a great curiosity. The members of the committee in their reasonings, discover judgment, knowledge, elocution. Lord Broghill, in particular, exerts himself on this memorable occasion. But what a contrast, when we pass to the protector's replies! After so singular a manner does Nature distribute her talents, that, in a nation abounding with sense and learning, a man who, by superior personal merit alone, had made his way to supreme dignity, and had even obliged the parliament to make him a tender of the crown, was yet incapable of expressing himself on this occasion, but in a manner which a peasant of the most ordinary capacity would justly be ashamed of.¹

¹ We shall produce any passage at random for his discourse is all of a piece. 'I confess, for it behoves me to deal plainly with you, I must confess, I would say, I hope, I may be understood in this, for indeed I must be tender what I say to such an audience as this, I say, I would be understood, that in this argument I do not make parallel betwixt men of a different mind, and a parliament, which shall have their desires. I know there is no comparison, nor can it be urged upon me, that my words have the least colour that way, because the parliament seems to give liberty to me to say anything to you as that, that is a tender of my humble reasons and judgment and opinion to them, and if I think they are such, and will be such to them, and are faithful servants, and will be so to the supreme authority, and the legislative whosoever it is if, I say, I should not tell you, knowing their minds to be so, I should not be faithful, if I should not tell you so, to the end you may report it to the parliament. I shall say something for myself, for my own mind, I do profess it, I am not a man scrupulous about words or names of such things I have not but as I have the word of God, and I hope I shall ever have it, for the rule of my conscience, for my informations, so truly men that have been led in dark paths, through the providence and dispensation of God, why surely it is not to be objected to a man, for who can love to walk in the dark? But Providence does so dispose. And though a man may impute his own folly and blindness to Providence sinfully, yet it must be at my peril, the case may be that it is the providence of

The opposition, which Cromwell dreaded, was not that which came from Lambert and his adherents, whom he now regarded as capital enemies, and whom he was resolved, on the first occasion, to deprive of all power and authority. It was that which he met with in his own family, and from men, who, by interest as well as inclination, were the most devoted to him. Fleetwood had married his daughter Desborough his sister. yet these men, actuated by principle alone, could, by no persuasion, artifice, or entreaty, be induced to consent that their friend and patron should be invested with regal dignity. They told him, that if he accepted of the crown, they would instantly throw up their commissions, and never afterwards should have it in their power to serve him (*Thurloe*, vol. vi p. 261). Colonel Pride procured a petition against the office of king, signed by a majority of the officers, who were in London and the neighbourhood. Several persons, it is said, had entered into an engagement to murder the protector within a few hours after he should have accepted the offer of the parliament. Some sudden mutiny in the army was just dreaded. And upon the whole, Cromwell, after the agony and perplexity of long doubt, was at last obliged to refuse that crown, which the representatives of the nation, in the most solemn manner, had tendered to him. Most historians are inclined to blame his choice, but he must be allowed to be the best judge of his own situation. And in such complicated subjects, the alteration of a very minute circumstance, unknown to the spectator, will often be sufficient to cast the balance, and render a determination, which, in itself, may be ineligible, very prudent, or even absolutely necessary to the actor.

A dream or prophecy, Lord Clarendon mentions, which he affirms (and he must have known the truth), was universally talked of almost from the beginning of the civil wars, and long before Cromwell was so considerable a person as to bestow upon it any degree of probability. In this prophecy it was foretold, that Cromwell should be the greatest man in England, and would nearly, but never would fully, mount the throne. Such a prepossession probably arose from the heated imagination either of himself or of his followers, and as it might be one cause of the great progress which he had already made, it is not an unlikely reason which may be assigned for his refusing at this time any further elevation.

The parliament, when the regal dignity was rejected by Cromwell, found themselves obliged to retain the name of a commonwealth and protector, and as the government was hitherto a manifest usurpation, it was thought proper to sanctify it by a seeming choice of the people and their representatives. Instead of the 'Instrument of government,' which was the work of the general officers alone, 'Humble petition and advice' was framed, and offered to the protector by the parliament. This was represented as the great basis of the republican

'God that doth lead men in darkness. I must need say, that I have had a great deal of experience of Providence, and though it is no rule without or against the word, yet it is a very good expostor of the word in many cases' (Conference at Whitehall). The great defect in Oliver's speeches consists not in his want of elocution, but in his want of ideas. The sagacity of his actions, and the absurdity of his discourse, form the most prodigious contrast that ever was known. The collection of all his speeches, letters, sermons (for he also wrote sermons), would make a great curiosity, and, with a few exceptions, might justly pass for one of the most nonsensical books in the world.

establishment, regulating and limiting the powers of each member of the constitution, and securing the liberty of the people to the most remote posterity. By this deed the authority of protector was in some particulars enlarged in others, it was considerably diminished. He had the power of nominating his successor, he had a perpetual revenue assigned him, 1,000,000*l* a year for the pay of the fleet and army, 300,000*l* for the support of civil government; and he had authority to name another house, who should enjoy their seats during life, and exercise some functions of the former house of peers. But he abandoned the power assumed in the intervals of parliament, of framing laws with the consent of his council, and he agreed, that no members of either house should be excluded but by the consent of that house, of which they were members. The other articles were in the main the same as in the instrument of government. The instrument of government Cromwell had formerly extolled as the most perfect work of human invention. He now represented it as a rotten plank, upon which no man could trust himself without sinking. Even the humble petition and advice, which he extolled in its turn, appeared so lame and imperfect, that it was found requisite, this very session, to mend it by a supplement, and after all, it may be regarded as a crude and undigested model of government. It was, however, accepted for the voluntary deed of the whole people in the three united nations, and Cromwell, as if his power had just commenced from this popular consent, was anew inaugurated in Westminster Hall, after the most solemn and most pompous manner.

The parliament having (June 26) adjourned itself, the protector deprived Lambert of all his commissions, but still allowing him a considerable pension of 2,000*l* a year, as a bribe for his future peaceable deportment. Lambert's authority in the army, to the surprise of every body, was found immediately to expire with the loss of his commission. Packer and some other officers, whom Cromwell suspected, were also displaced.

Richard, eldest son of the protector, was brought to court, introduced into public business, and thenceforth regarded by many as his heir in the protectorship, though Cromwell sometimes employed the gross artifice of flattering others with hopes of the succession. Richard was a person possessed of the most peaceable, inoffensive, unambitious character; and had hitherto lived contentedly in the country on a small estate which his wife had brought him. All the activity which he discovered, and which never was great, was however exerted to beneficent purposes. At the time of the king's trial, he had fallen on his knees before his father, and had conjured him, by every tie of duty and humanity, to spare the life of that monarch. Cromwell had two daughters unmarried. One of them he now gave in marriage to the grandson and heir of his great friend, the Earl of Warwick, with whom he had, in every fortune, preserved an uninterrupted intimacy and good correspondence. The other he married to the Viscount Fauconberg, of a family formerly devoted to the royal party. He was ambitious of forming connections with the nobility, and it was one chief motive for his desiring the title of king, that he might replace every thing in its natural order, and restore, to ancient families, the trust and honour,

of which he now found himself obliged, for his own safety, to deprive them

The Parliament was (Jan. 20, A. D. 1658) again assembled, consisting as in the times of monarchy, of two houses, the commons and the other house. Cromwell, during the interval, had sent writs to his house of peers, which consisted of sixty members. They were composed of five or six ancient peers, of several gentlemen of fortune and distinction, and of some officers who had risen from the meanest stations. None of the ancient peers, however, though summoned by writ, would deign to accept of a seat, which they must share with such companions as were assigned them. The protector endeavoured at first to maintain the appearance of a legal magistrate. He placed no guard at the door of either house, but soon found how incompatible liberty is with military usurpations. By bringing so great a number of his friends and adherents into the other house, he had lost the majority among the national representatives. In consequence of a clause in the humble petition and advice, the commons assumed a power of readmitting those members whom the council had formerly excluded. Sir Arthur Hazelrig and some others, whom Cromwell had created lords, rather chose to take their seat with the commons. An incontestable majority now declared themselves against the protector, and they refused to acknowledge the jurisdiction of that other house, which he had established. Even the validity of the humble petition and advice was questioned, as being voted by a parliament, which lay under force, and which was deprived, by military violence, of a considerable number of its members. The protector, dreading combinations between the parliament and the malcontents in the army, resolved to allow no leisure for forming any conspiracy against him, and, with expressions of great displeasure, he (Feb. 4th) dissolved the parliament. When urged, by Fleetwood and others of his friends, not to precipitate himself into this rash measure, he swore, by the living God, that they should not sit a moment longer.

These distractions at home were not able to take off the protector's attention from foreign affairs, and in all his measures he proceeded with the same vigour and enterprise, as if secure of the duty and attachment of the three kingdoms. His alliance with Sweden he still supported, and he endeavoured to assist that crown in its successful enterprises, for reducing all its neighbours to subjection, and rendering itself absolute master of the Baltic. As soon as Spain declared war against him, he concluded a peace and an alliance with France, and united himself in all his counsels with that potent and ambitious kingdom. Spain, having long courted in vain the friendship of the successful usurper, was reduced at last to apply to the unfortunate prince Charles, formed a league with Philip, removed his small court to Bruges in the Low Countries, and raised four regiments of his own subjects, whom he employed in the Spanish service. The Duke of York, who had, with applause, served some campaigns in the French army, and who had merited the particular esteem of Marshal Turenne, now joined his brother, and continued to seek military experience under Don John of Austria, and the Prince of Condé.

The scheme of foreign politics, adopted by the protector, was highly

imprudent, but was suitable to that magnanimity and enterprise, with which he was so signally endowed. He was particularly desirous of conquest and dominion on the continent,¹ and he sent over into Flanders 6000 men under Reynolds, who joined the French army commanded by Turenne. In the former campaign, Mardyke was taken, and put into the hands of the English. Early this campaign, siege was laid to Dunkirk, and when the Spanish army advanced to relieve it, the combined armies of France and England marched out of their trenches, and fought the battle of the Dunes, where the Spaniards were totally defeated.² The valour of the English was much remarked on this occasion. Dunkirk, being soon after surrendered, was by agreement delivered to Cromwell. He committed the government of that important place to Lockhart, a Scotchman of abilities, who had married his niece, and was his ambassador at the court of France.

This acquisition was regarded by the protector as the means only of obtaining farther advantages. He was resolved to concert measures with the French court for the final conquest and partition of the Low Countries (Thurloe, vol. i p. 762). Had he lived much longer, and maintained his authority in England, so chimerical, or rather so dangerous a project would certainly have been carried into execution. And this first and principal step towards more extensive conquest, which France, during a whole century, has never yet been able, by an infinite expense of blood and treasure, fully to attain, had at once been accomplished by the enterprising, though unskilful politics of Cromwell.

During these transactions, great demonstrations of mutual friendship and regard passed between the French king and the protector. Lord Fauconberg, Cromwell's son-in-law, was despatched to Louis, then in the camp before Dunkirk, and was received with the regard usually paid to foreign princes by the French court (Thurloe, vol. vii. p. 151, 158). Mazarine sent to London his nephew Mancini, along with the Duke of Crequi, and expressed his regret, that his urgent affairs should deprive him of the honour, which he had long wished for, of paying, in person, his respects to the greatest man in the world.³

¹ He aspired to get possession of Elsinore and the passage of the Sound ('World's Mistake in Oliver Cromwell'). He also endeavoured to get possession of Bremen (Thurloe, vol. vi p. 478).

² It was remarked by the saints of that time that the battle was fought on a day which was held for a fast in London, so that, as Fleetwood said (Thurloe, vol. vii p. 159), while we were praying they were fighting, and the Lord hath given a signal answer. The Lord has not only owned us in our work there, but in our waiting upon him in a way of prayer, which is, indeed, our old experienced approved way in all straits and difficulties. Cromwell's letter to Blake and Montague, his brave admirals, is remarkable for the same spirit (Thurloe, vol. iv p. 744). You have, says he, as I verily believe and am persuaded, a plentiful stock of prayers going for you daily, sent up by the soberest and most approved ministers and Christians in this nation, and, notwithstanding some discouragements, very much wrestling of faith for you, which are to us, and I trust will be to you, matter of great encouragement. But notwithstanding all this, it will be good for you and us to deliver up ourselves and all our affairs to the disposition of our all-wise Father, who not only out of prerogative, but because of his goodness, wisdom, and truth, ought to be resigned unto by his creatures, especially those who are children of his begetting through the Spirit, &c.

³ In reality the cardinal had not entertained so high an idea of Cromwell. He used to say that he was a fortunate madman (*Vie de Cromwell par Raguenet, Carte's Collect. vol. ii p. 81, Cumble's 'Life of Monk,' p. 93, 'World's Mistake in O. Cromwell'*).

The protector reaped little satisfaction from the success of his arms abroad. the situation in which he stood at home, kept him in perpetual uneasiness and inquietude. His administration, so expensive both by military enterprises and secret intelligence, had exhausted his revenue, and involved him in a considerable debt. The royalists, he heard, had renewed their conspiracies for a general insurrection, and Ormond was secretly come over with a view of concerting measures for the execution of this project. Lord Fairfax, Sir William Waller, and many heads of the presbyterians, had secretly entered into the engagement. Even the army was infected with the general spirit of discontent, and some sudden and dangerous eruption was every moment to be dreaded from it. No hopes remained, after his violent breach with the last parliament, that he should ever be able to establish, with general consent, a legal settlement, or temper the military with any mixture of civil authority. All his arts and policy were exhausted, and having so often, by fraud and false pretences, deceived every party, and almost every individual, he could no longer hope, by his repeating the same professions, to meet with equal confidence and regard.

However zealous the royalists, their conspiracy took not effect. Willis discovered the whole to the protector. Ormond was obliged to fly, and he deemed himself fortunate to have escaped so vigilant an administration. Great numbers were thrown into prison. A high court of justice was anew erected for the trial of those criminals, whose guilt was most apparent. Notwithstanding the recognition of his authority by the last parliament, the protector could not, as yet, trust to an unbiassed jury. Sir Henry Slingsby, and Dr Huët, were condemned and beheaded. Mordaunt, brother to the Earl of Peterborough, narrowly escaped. The numbers for his condemnation and his acquittal were equal, and just as the sentence was pronounced in his favour, Colonel Pride, who was resolved to condemn him, came into court. Ashton, Storey, and Bestley, were hanged in different streets of the city.

The conspiracy of the Millenarians in the army struck Cromwell with still greater apprehensions. Harrison and the other discarded officers of that party could not remain at rest. Stimulated equally by revenge, by ambition, and by conscience, they still harboured in their breast some desperate project, and there wanted not officers in the army, who, from like motives, were disposed to second all their undertakings. The levellers and agitators had been encouraged by Cromwell to interpose with their advice in all political deliberations, and he had even pretended to honour many of them with his intimate friendship, while he conducted his daring enterprises against the king and the parliament. It was a usual practice with him, in order to familiarize himself the more with the agitators, who were commonly corporals or serjeants, to take them to bed with him, and there, after prayers and exhortations, to discuss together their projects and principles, political as well as religious. Having assumed the dignity of protector, he excluded them from all his councils, and had neither leisure nor inclination to indulge them any further in their wonted familiarities. Among those who were enraged at this treatment was Sexby, an active

agitator, who now employed against him all that restless industry which had formerly been exerted in his favour. He even went so far as to enter into a correspondence with Spain, and Cromwell, who knew the distempers of the army, was justly afraid of some mutiny, to which a day, an hour, an instant, might provide leaders

Of assassinations likewise he was apprehensive, from the zealous spirit which actuated the soldiers Sindercome had undertaken to murder him, and, by the most unaccountable accidents, had often been prevented from executing his bloody purpose His design was discovered, but the protector could never find the bottom of the enterprise, nor detect any of his accomplices He was tried by a jury, and notwithstanding the general odium attending that crime, notwithstanding the clear and full proof of his guilt, so little conviction prevailed of the protector's right to the supreme government, it was with the utmost difficulty (Thurloe, vol vi p 53) that this conspirator was condemned When every thing was prepared for his execution, he was found dead, from poison, as is supposed, which he had voluntarily taken

The protector might better have supported those fears and apprehensions which the public distempers occasioned, had he enjoyed any domestic satisfaction, or possessed any cordial friend of his own family, in whose bosom he could safely have unloaded his anxious and corroding cares But Fleetwood, his son-in-law, actuated by the wildest zeal, began to estrange himself from him, and was enraged to discover that Cromwell in all his enterprises, had entertained views of promoting his own grandeur, more than of encouraging piety and religion, of which he made such fervent professions His eldest daughter, married to Fleetwood, had adopted republican principles so vehement, that she could not with patience behold power lodged in a single person, even in her indulgent father His other daughters were no less prejudiced in favour of the royal cause, and regretted the violences and iniquities into which, they thought, their family had so unhappily been transported Above all, the sickness of Mrs Claypole, his peculiar favourite, a lady endued with many humane virtues and amiable accomplishments, depressed his anxious mind, and poisoned all his enjoyments. She had entertained a high regard for Dr Huet, lately executed, and being refused his pardon, the melancholy of her temper, increased by her distempered body, had prompted her to lament to her father all his sanguinary measures, and urge him to compunction for those heinous crimes into which his fatal ambition had betrayed him Her death, which followed soon after, gave new edge to every word that she had uttered

All composure of mind was now for ever fled from the protector : he felt that the grandeur, which he had attained with so much guilt and courage, could not ensure him that tranquillity, which it belongs to virtue alone, and moderation fully to ascertain Overwhelmed with the load of public affairs, dreading perpetually some fatal accident in his distempered government, seeing nothing around him but treacherous friends or enraged enemies, possessing the confidence of no party, resting his title on no principle, civil or religious, he found his power to depend on so delicate a poize of factions and

interests, as the smallest event was able, without any preparation, in a moment to overturn. Death too, which, with such signal intrepidity he had braved in the field, being incessantly threatened by the poniards of fanatical or interested assassins, was ever present to his terrified apprehension, and haunted him in every scene of business or repose. Each action of his life betrayed the terrors under which he laboured. The aspect of strangers was uneasy to him with a piercing and anxious eye he surveyed every face to which he was not daily accustomed. He never moved a step without strong guards attending him. He wore armour under his clothes, and farther secured himself by offensive weapons, a sword, falchion, and pistols, which he always carried about him. He returned from no place by the direct road, or by the same way which he went. Every journey he performed with hurry and precipitation. Seldom he slept above three nights together in the same chamber and he never let it be known beforehand what chamber he intended to choose, nor entrusted himself in any which was not provided with back-doors, at which sentinels were carefully placed. Society terrified him, while he reflected on his numerous, unknown, and implacable enemies. Solitude astonished him, by withdrawing that protection which he found so necessary for his security.

His body also, from the contagion of his anxious mind, began to be affected, and his health seemed sensibly to decline. He was seized with a slow fever, which changed into a tertian ague. For the space of a week, no dangerous symptoms appeared; and in the intervals of the fits he was able to walk abroad. At length the fever increased, and he himself began to entertain some thoughts of death, and to cast his eye towards that future existence, whose idea had once been intimately present to him; though since, in the hurry of affairs, and in the shock of wars and factions, it had, no doubt, been considerably obliterated. He asked Goodwin, one of his preachers, if the doctrine were true, that the elect could never fall or suffer a final reprobation. 'Nothing more certain,' replied the preacher. 'Then am I safe,' said the protector. 'for I am sure that once I was in a state of grace.'

His physicians were sensible of the perilous condition to which his distemper had reduced him. but his chaplains, by their prayers, visions, and revelations, so buoyed up his hopes, that he began to believe his life out of all danger. A favourable answer, it was pretended, had been returned by heaven to the petitions of all the godly, and he relied on their asseverations much more than on the opinion of the most experienced physicians. 'I tell you,' he cried with confidence to the latter, 'I tell you, I shall not die of this distemper. I am well assured of my recovery. It is promised by the Lord, not only to my supplications, but to those of men who hold a stricter commerce, and more intimate correspondence with him. Ye may have skill in your profession, but nature can do more than all the physicians in the world, and God is far above nature.' (Bates, *Thurloe*, vol. vii pp. 355-416) Nay, to such a degree of madness did their enthusiastic assurances mount, that, upon a fast day, which was observed on his account both at Hampton Court and at Whitehall, they did not so much pray for his health, as give thanks for the undoubted pledges which they had received of his recovery. He himself was overheard

offering up his addresses to heaven ; and so far had the illusions of fanaticism prevailed over the plainest dictates of natural morality, that he assumed more the character of a mediator, in interceding for his people, than that of a criminal, whose atrocious violation of social duty had, from every tribunal, human and divine, merited the severest vengeance

Meanwhile all the symptoms began to wear a more fatal aspect ; and the physicians were obliged to break silence, and to declare, that the protector could not survive the next fit with which he was threatened. The council was alarmed. A deputation was sent to know his will with regard to his successor. His senses were gone, and he could not now express his intentions. They asked him whether he did not mean that his eldest son, Richard, should succeed him in the protectorship. A simple affirmative was, or seemed to be, extorted from him. Soon after, on Sept. 3, that very day which he had always considered as the most fortunate for him, he expired. A violent tempest, which immediately succeeded his death, served as a subject of discourse to the vulgar. His partizans, as well as his enemies, were fond of remarking this event ; and each of them endeavoured, by forced inferences, to interpret it as a confirmation of their particular prejudices.

The writers, attached to the memory of this wonderful person, make his character, with regard to abilities, bear the air of the most extravagant panegyric. His enemies form such a representation of his moral qualities as resembles the most virulent invective. Both of them, it must be confessed, are supported by such striking circumstances in his conduct and fortune as bestow on their representation a great air of probability. 'What can be more extraordinary,' it is said,¹ 'than that a person of private birth and education, no fortune, no eminent qualities of body, which have sometimes, nor shining talents of mind, which have often, raised men to the highest dignities, should have the courage to attempt, and the abilities to execute, so great a design as the subverting one of the most ancient and best established monarchies in the world ? That he should have the power and boldness to put his prince and master to an open and infamous death ? Should banish that numerous and strongly-allied family ? Cover all these temerities under a seeming obedience to a parliament, in whose service he pretended to be retained ? Trample too upon that parliament in their turn, and scornfully expel them as soon as they gave him ground of dissatisfaction ? Erect in their place the dominion of the saints, and give reality to the most visionary idea, which the heated imagination of any fanatic was ever able to entertain ? Suppress again that monster in its infancy, and openly set up himself above all things that ever were called sovereign in England ? Overcome first all his enemies by arms, and all his friends afterwards by artifice ? Serve all parties patiently for a while, and command them victoriously at last ? Overrun each corner of the three nations, and subdue with equal facility, both the riches of the south, and the poverty of the north ? Be feared and courted by all foreign princes, and be adopted a brother to the gods of the earth ? Call together parliaments with a word of his pen, and scatter them again with the

¹ Cowley's 'Discourses' This passage is altered in some particulars from the original.

‘breath of his mouth? Reduce to subjection a warlike and discontented nation, by means of a mutinous army? Command a mutinous army by means of seditious and factious officers? Be humbly and daily petitioned, that he would be pleased, at the rate of millions a year, to be hired as master of those who had hired him before to be their servant? Have the estates and lives of three nations as much at his disposal as was once the little inheritance of his father, and be as noble and liberal in the spending of them? And lastly (for there is no end of enumerating every particular of his glory), with one word bequeath all this power and splendour to his posterity? Die possessed of peace at home, and triumph abroad? Be buried among kings, and with more than regal solemnity, and leave a name behind him not to be extinguished but with the whole world; which as it was too little for his praise, so might it have been for his conquests, if the short line of his mortal life could have stretched out to the extent of his immortal designs?’

My intention is not to disfigure this picture, drawn by so masterly a hand. I shall only endeavour to remove from it somewhat of the marvellous, a circumstance which, on all occasions, gives much ground for doubt and suspicion. It seems to me, that the circumstance of Cromwell’s life, in which his abilities are principally discovered, is his rising from a private station, in opposition to so many rivals, so much advanced before him, to a high command and authority in the army. His great courage, his signal military talents, his eminent dexterity and address, were all requisite for this important acquisition. Yet will not this promotion appear the effect of supernatural abilities, when we consider, that Fairfax himself, a private gentleman, who had not the advantage of a seat in parliament, had, through the same steps, attained even a superior rank, and, if endued with common capacity and penetration, had been able to retain it. To incite such an army to rebellion against the parliament, required no uncommon art or industry to have kept them in obedience had been the more difficult enterprise. When the breach was once formed between the military and civil powers, a supreme and absolute authority, from that moment, is devolved on the general, and if he be afterwards pleased to employ artifice or policy, it may be regarded, on most occasions, as great condescension, if not as superfluous caution. That Cromwell was ever able really to blind or over-reach either the king or the republicans, does not appear as they possessed no means of resisting the force under his command, they were glad to temporise with him, and, by seeming to be deceived, wait for opportunities of freeing themselves from his dominion. If he seduced the military fanatics, it is to be considered, that their interests and his evidently concurred, that their ignorance and low education exposed them to the grossest imposition, and that he himself was at bottom as frantic an enthusiast as the worst of them, and in order to obtain their confidence, needed but to display those vulgar and ridiculous habits, which he had early acquired, and on which he set so high a value. An army is so forcible, and at the same time so coarse a weapon, that any hand, which wields it, may, without much dexterity, perform any operation, and attain any ascendant, in human society.

474 *Character and domestic history of Oliver Cromwell.*

The domestic administration of Cromwell, though it discovers great abilities, was conducted without any plan either of liberty or arbitrary power perhaps, his difficult situation admitted of neither His foreign enterprises, though full of intrepidity, were pernicious to national interest, and seem more the result of impetuous fury or narrow prejudices, than of cool foresight and deliberation An eminent personage, however, he was in many respects, and even a superior genius, but unequal and irregular in his operations And though not defective in any talent, except that of elocution, the abilities, which in him were most admirable, and which most contributed to his marvellous success, were the magnanimous resolution of his enterprises, and his peculiar dexterity in discovering the characters, and practising on the weaknesses of mankind

If we survey the moral character of Cromwell with that indulgence which is due to the blindness and infirmities of the human species, we shall not be inclined to load his memory with such violent reproaches as those which his enemies usually throw upon it Amidst the passions and prejudices of that period, that he should prefer the parliamentary to the royal cause, will not appear extraordinary, since, even at present, some men of sense and knowledge are disposed to think, that the question, with regard to the justice of the quarrel, may be regarded as doubtful and uncertain The murder of the king, the most atrocious of all his actions, was to him covered under a mighty cloud of republican and fanatical illusions, and it is not impossible, but he might believe it, as many others did, the most meritorious action that he could perform His subsequent usurpation was the effect of necessity, as well as of ambition, nor is it easy to see, how the various factions could at that time have been restrained, without a mixture of military and arbitrary authority The private deportment of Cromwell, as a son, a husband, a father, a friend, is exposed to no considerable censure, if it does not rather merit praise And, upon the whole, his character does not appear more extraordinary and unusual by the mixture of so much absurdity with so much penetration, than by his tempering such violent ambition and such enraged fanaticism with so much regard to justice and humanity

Cromwell was in the fifty-ninth year of his age when he died He was of a robust frame of body, and of a manly, though not of an agreeable aspect He left only two sons, Richard and Henry, and three daughters, one married to General Fleetwood, another to Lord Fauconberg, a third to Lord Rich. His father died when he was young His mother lived till after he was protector, and, contrary to her orders, he buried her with great pomp in Westminster Abbey She could not be persuaded, that his power or person was ever in safety At every noise which she heard, she exclaimed, that her son was murdered; and was never satisfied that he was alive, if she did not receive frequent visits from him She was a decent woman, and, by her frugality and industry, had raised and educated a numerous family upon a small fortune She had even been obliged to set up a brewery at Huntingdon, which she managed to good advantage Hence Cromwell, in the invectives of that age, is often stigmatised with the name of the brewer Ludlow, by way of insult, mentions the great accession,

which he would receive to his royal revenues upon his mother's death, who possessed a jointure of 60*l.* a year upon his estate. She was of a good family, of the name of Stuart, remotely allied, as is by some supposed, to the royal family.

CHAPTER LXII.

Richard acknowledged protector—A parliament—Cabal of Wallingford House—Richard deposed—Long parliament or Rump restored—Conspiracy of the royalists—Insurrection—Suppressed—Parliament expelled—Committee of safety—Foreign affairs—General Monk—Monk declares for the parliament—Parliament restored—Monk enters London, declares for a free parliament—Secluded members restored—Long parliament dissolved—New parliament—The Restoration—Manners and arts

ALL the arts of Cromwell's policy had been so often practised, that they began to lose their effect, and his power, instead of being confirmed by time and success, seemed every day to become more uncertain and precarious. His friends the most closely connected with him, and his counsellors the most trusted, were entering into cabals against his authority; and, with all his penetration into the characters of men, he could not find any ministers on whom he could rely. Men of probity and honour, he knew, would not submit to be the instruments of an usurpation, violent and illegal: those who were free from the restraint of principle, might betray, from interest, that cause, in which, from no better motives, they had enlisted themselves. Even those on whom he conferred any favour, never deemed the recompense equivalent for the sacrifices which they made to obtain it: whoever was refused any demand, justified his anger by the specious colours of conscience and of duty. Such difficulties surrounded the protector, that his dying at so critical a time, is esteemed by many the most fortunate circumstance that ever attended him, and it was thought, that all his courage and dexterity could not much longer have extended his usurped administration.

But when that potent hand was removed which conducted the Government, everyone expected a sudden dissolution of the unwieldy and ill-jointed fabric. Richard, a young man of no experience, educated in the country, accustomed to a retired life, unacquainted with the officers, and unknown to them, recommended by no military exploits, endeared by no familiarities, could not long, it was thought, maintain that authority, which his father had acquired by so many valorous achievements, and such signal successes. And when it was observed, that he possessed only the virtues of private life, which in his situation were so many vices: that indolence, incapacity, irresolution attended his facility and good nature, the various hopes of men were excited by the expectation of some great event or revolution.

For some time, however, the public was disappointed in this opinion. The council recognised the succession of Richard; Fleetwood, in whose favour, it was supposed, Cromwell had formerly made a will, renounced all claim or pretension to the protectorship, Henry, Richard's brother, who governed Ireland with popularity, ensured him the obedience of that kingdom. Monk, whose authority was well established in Scotland, being much attached to the family of Cromwell, immediately proclaimed the new protector, the army, everywhere, the fleet, acknowledged his title; above ninety addresses from the counties and most considerable corporations congratulated him on his accession, in all the terms of dutiful allegiance, foreign ministers were forward in paying him the usual compliments, and Richard, whose moderate, unambitious character never would have led him to contend for empire, was tempted to accept of so rich an inheritance, which seemed to be tendered to him by the consent of all mankind.

It was found necessary to call a parliament, in order to furnish supplies, both for the ordinary administration, and for fulfilling those engagements with foreign princes, particularly Sweden, into which the late protector had entered. In hopes of obtaining greater influence in elections, the ancient right was restored to all the small boroughs, and the counties were allowed no more than their usual members. The house of peers, or the other house, consisted of the same persons that had been appointed by Oliver.

All the commons at first (Jan 7, A D 1659) signed, without hesitation, an engagement not to alter the present Government. They next proceeded to examine the humble petition and advice, and after great opposition, and many vehement debates, it was at length, with much difficulty carried by the court-party to confirm it. An acknowledgement, too, of the authority of the other house was extorted from them, though it was resolved not to treat this house of peers with any greater respect than they should return to the commons. A declaration was also made that the establishment of the other house should nowise prejudice the right of such of the ancient peers as had from the beginning of the war adhered to parliament. But in all these proceedings, the opposition among the commons was so considerable, and the debates were so much prolonged, that all business was retarded, and great alarm given to the partizans of the young protector.

But there was another quarter from which greater dangers were justly apprehended. The most considerable officers of the army, and even Fleetwood, brother-in-law to the protector, were entering into cabals against him. No character in human society is more dangerous than that of the fanatic; because, if attended with weak judgment, he is exposed to the suggestions of others—if supported by more discernment, he is entirely governed by his own illusions, which sanctify his most selfish views and passions. Fleetwood was of the former species, and as he was extremely addicted to a republic, and even to the fifth monarchy or dominion of the saints, it was easy for those who had insinuated themselves into his confidence to instil disgusts against the dignity of protector. The whole republican party in the army, which was still considerable, Fitz, Mason, Moss, Farley,

united themselves to that general. The officers, too, of the same party, whom Cromwell had discarded, Overton, Ludlow, Rich, Okey, Alured, began to appear, and to recover that authority which had been only for a time suspended. A party, likewise, who found themselves eclipsed in Richard's favour, Sydenham, Kelsey, Berry, Haines, joined the cabal of the others. Even Desborough, the protector's uncle, lent his authority to that faction. But, above all, the intrigues of Lambert, who was now roused from his retreat, inflamed all those dangerous humours, and threatened the nation with some great convulsion. The discontented officers established their meetings in Fleetwood's apartments, and because he dwelt in Wallingford House, the party received a denomination from that place.

Richard, who possessed neither resolution nor penetration, was prevailed on to give an unguarded consent for calling a general council of officers, who might make him proposals, as they pretended, for the good of the army. No sooner were they assembled than they voted a remonstrance. They there lamented that 'the good old cause,' as they termed it, that is, the cause for which they had engaged against the late king, was entirely neglected, and they proposed as a remedy, that the whole military power should be entrusted to some person in whom they might all confide. The city militia, influenced by two aldermen, Tichborne and Ireton, expressed the same resolution of adhering to 'the good old cause.'

The protector was justly alarmed at those movements among the officers. The persons in whom he chiefly confided were, all of them, excepting Broghill, men of civil characters and professions; Fiennes, Thurloe, Whitlocke, Wolseley, who could only assist him with their advice and opinion. He possessed none of those arts which were proper to gain an enthusiastic army. Murmurs being thrown out against some promotions which he had made, 'Would you have me,' said he, 'prefer none but the godly?' Here is Dick Ingoldsby,' continued he, 'who can neither play nor preach; yet will I trust him before ye all' (Ludlow). This imprudence gave great offence to the pretended saints. The other qualities of the protector were correspondent to these sentiments: he was of a gentle, humane, and generous disposition. Some of his party offering to put an end to those intrigues by the death of Lambert, he declared that he would not purchase power or dominion by such sanguinary measures.

The parliament was no less alarmed at the military cabals. They voted that there should be no meeting or general council of officers, except with the protector's consent, or by his orders. This vote brought affairs immediately to a rupture. The officers hastened to Richard, and demanded of him the dissolution of the parliament. Desborough, a man of a clownish and brutal nature, threatened him, if he should refuse compliance. The protector wanted the resolution to deny, and possessed little ability to resist. The parliament was dissolved, and by the same act the protector was, by everyone, considered as effectually dethroned. Soon after, April 22, he signed his demission in form.

Henry, the deputy of Ireland, was endowed with the same moderate disposition as Richard, but as he possessed more vigour and capacity,

it was apprehended that he might make resistance. His popularity in Ireland was great, and even his personal authority, notwithstanding his youth, was considerable. Had his ambition been very eager, he had, no doubt, been able to create disturbance but being threatened by Sir Hardress Waller, Colonel John Jones, and other officers, he very quietly resigned his command, and retired to England. He had once entertained thoughts, which he had not resolution to execute, of proclaiming the king in Dublin (Carte's Collec vol ii p 243).

Thus fell suddenly, and from an enormous height, but, by a rare fortune, without any hurt or injury, the family of the Cromwells. Richard continued to possess an estate, which was moderate, and burthened too with a large debt, which he had contracted for the interment of his father. After the restoration, though he remained unmolested, he thought proper to travel for some years, and at Pezenas in Languedoc he was introduced, under a borrowed name, to the Prince of Conti. That prince, talking of English affairs, broke out into admiration of Cromwell's courage and capacity. 'But as for that poor pitiful fellow, Richard,' said he, 'what has become of him?' 'How could he be such a blockhead as to reap no greater benefit from all his father's crimes and successes?' Richard extended his peaceful and quiet life to an extreme old age, and died not till the latter end of Queen Anne's reign. His social virtues, more valuable than the greatest capacity, met with a recompence more precious than noisy fame, and more suitable contentment and tranquillity.

The council of officers, now possessed of supreme authority, deliberated what form of government they should establish. Many of them seemed inclined to exercise the power of the sword in the most open manner, but as it was apprehended that the people would with great difficulty be induced to pay taxes levied by arbitrary will and pleasure, it was agreed to preserve the shadow of civil administration, and to revive the long parliament, which had been expelled by Cromwell. That assembly could not be dissolved, it was asserted, but by their own consent, and violence had interrupted, but was not able to destroy, their right to government. The officers also expected that, as these members had sufficiently felt their own weakness, they would be contented to act in subordination to the military commanders, and would thenceforth allow all the authority to remain where the power was so visibly vested.

The officers applied to Lenthall, the speaker, and proposed to him that the parliament should resume their seats. Lenthall was of a low, timid spirit; and being uncertain what issue might attend these measures, was desirous of evading the proposal. He replied that he could by no means comply with the desire of the officers, being engaged in a business of far greater importance to himself, which he could not omit on any account, because it concerned the salvation of his own soul. The officers pressed him to tell what it might be. He was preparing, he said, to participate of the Lord's Supper, which he resolved to take next Sabbath. They insisted, that mercy was preferable to sacrifice, and that he could not better prepare himself for that great duty, than by contributing to the public service. All their remonstrances had no effect. However, on the appointed day, the speaker,

being informed that a quorum of the house was likely to meet, thought proper, notwithstanding the salvation of his soul, as Ludlow observes, to join them, and the house immediately proceeded upon business. The secluded members attempted, but in vain, to resume their seats among them.

The numbers of this parliament were small, little exceeding seventy members. their authority in the nation, ever since they had been purged by the army, was extremely diminished, and after their expulsion, had been totally annihilated. but being all of them men of violent ambition; some of them men of experience and capacity; they were resolved, since they enjoyed the title of the supreme authority, and observed that some appearance of a parliament was requisite for the purposes of the army, not to act a subordinate part to those who acknowledged themselves their servants. They chose a council, in which they took care that the officers of Wallingford-house should not be the majority. they appointed Fleetwood lieutenant-general, but inserted in his commission, that it should only continue during the pleasure of the house. they chose seven persons, who should nominate to such commands as became vacant. and they voted, that all commissions should be received from the speaker, and be assigned by him in the name of the house. These precautions, the tendency of which was visible, gave great disgust to the general officers, and their discontent would immediately have broken out into some resolution fatal to the parliament, had it not been checked by the apprehensions of danger from the common enemy.

The bulk of the nation consisted of royalists and presbyterians; and to both these parties the dominion of the pretended parliament had ever been to the last degree odious. When that assembly was expelled by Cromwell, contempt had succeeded to hatred; and no reserve had been used in expressing the utmost detestation against the impotent ambition of these usurpers. Seeing them reinstated in authority, all orders of men felt the highest indignation; together with apprehensions, lest such tyrannical rulers should exert their power by taking vengeance upon their enemies, who had so openly insulted them. A secret reconciliation, therefore, was made between the rival parties, and it was agreed, that, burying former enmities in oblivion, all efforts should be used for the overthrow of the rump; so they called the parliament, in allusion to that part of the animal body. The presbyterians, sensible from experience, that their passion for liberty, however laudable, had carried them into unwarrantable excesses, were willing to lay aside ancient jealousies, and, at all hazards to restore the royal family. The nobility, the gentry bent their passionate endeavours to the same enterprize, by which alone they could be redeemed from slavery. And no man was so remote from party, so indifferent to public good, as not to feel the most ardent wishes for the dissolution of that tyranny, which, whether the civil or the military part of it were considered, appeared equally oppressive and ruinous to the nation.

Mordaunt, who had so narrowly escaped on his trial before the high court of justice, seemed rather animated than daunted with past danger, and having, by his resolute behaviour, obtained the highest confidence of the royal party, he was now become the centre of all

480 *Abortive rising against the Rump Parliament.*

their conspiracies. In many counties, a resolution was taken to rise in arms. Lord Willoughby of Parham and Sir Horatio Townshend undertook to secure Lynn, General Massey engaged to seize Gloucester, Lord Newport, Littleton, and other gentlemen conspired to take possession of Shrewsbury, Sir George Booth, of Chester, Sir Thomas Middleton, of North-Wales, Arundel, Pollar, Granville, Trelawney, of Plymouth and Exeter. A day was appointed for the execution of all these enterprises. And the king, attended by the Duke of York, had secretly arrived at Calais, with a resolution of putting himself at the head of his loyal subjects. The French court had promised to supply him with a small body of forces, in order to countenance the insurrections of the English.

This combination was disconcerted by the infidelity of Sir Richard Willis. That traitor continued with the parliament the same correspondence which he had begun with Cromwell. He had engaged to reveal all conspiracies, so far as to destroy their effect, but reserved to himself, if he pleased, the power of concealing the conspirators. He took care never to name any of the old, genuine cavaliers, who had zealously adhered, and were resolved still to adhere, to the royal cause in every fortune. These men he esteemed, these he even loved. He betrayed only the new converts among the presbyterians, or such lukewarm royalists, as, discouraged with their disappointments, were resolved to expose themselves to no more hazards. A lively proof how impossible it is, even for the most corrupted minds, to divest themselves of all regard to morality and social duty!

Many of the conspirators in the different counties were (July) thrown into prison. Others, astonished at such symptoms of secret treachery, left their houses, or remained quiet. The most tempestuous weather prevailed during the whole time appointed for the rendezvous; insomuch that some found it impossible to join their friends, and others were dismayed with fear and superstition at an incident so unusual during the summer season. Of all the projects, the only one which took effect was that of Sir George Booth for the seizing of Chester. The Earl of Derby, Lord Herbert of Chisbury, Mr. Lee, Colonel Morgan, entered into this enterprise. Sir William Middleton joined Booth with some troops from North Wales, and the malcontents were powerful enough to subdue all in that neighbourhood who ventured to oppose them. In their declaration they made no mention of the king; they only demanded a free and full parliament.

The parliament was justly alarmed. How combustible the materials, they well knew, and the fire was now fallen among them. Booth was of a family eminently presbyterian, and his conjunction with the royalists they regarded as a dangerous symptom. They had many officers whose fidelity they could more depend on than that of Lambert; but there was no one in whose vigilance and capacity they reposed such confidence. They commissioned him to suppress the rebels. He made incredible haste. Booth imprudently ventured himself out of the walls of Chester, and exposed in the open field, his raw troops against these hardy veterans. He was soon routed and taken prisoner. His whole army was dispersed. And the parliament had no further occupation than to fill all the jails with their open or secret enemies. Designs

were even entertained of transporting the loyal families to Barbadoes, Jamaica, and the other colonies, lest they should propagate in England children of the same malignant affections with themselves.

This success hastened the ruin of the Parliament. Lambert, at the head of a body of troops, was no less dangerous to them than Booth. A thousand pounds, which they sent him to buy a jewel, were employed by him in liberalities to his officers. At his instigation they drew up a petition, and transmitted it to Fleetwood, a weak man, and an honest, if sincerity in folly deserve that honourable name. The import of this petition was, that Fleetwood should be made commander-in-chief, Lambert major-general, Desborough lieutenant-general of the horse, Monk major-general of the foot. To which a demand was added, that no officer should be dismissed from his command but by a court-martial.

The parliament, alarmed at the danger, immediately cashiered Lambert, Desborough, Berry, Clarke, Barrow, Kelsey, Cobbet. Sir Arthur Hazelrigg proposed the impeachment of Lambert for high treason. Fleetwood's commission was vacated, and the command of the army was vested in seven persons, of whom that general was one. The parliament voted, that they would have no more general officers. And they declared it high treason to levy any money without consent of parliament.

But these votes were feeble weapons in opposition to the swords of the soldiery. Lambert drew some troops together, in order to decide the controversy. Okey, who was leading his regiment to the assistance of the parliament, was deserted by them. Morley and Moss brought their regiments into Palace-yard, resolute to oppose the violence of Lambert. But that artful general knew an easy way of disappointing them. He (Oct 13) placed his soldiers in the streets which lead to Westminster-hall. When the Speaker came in his coach, he ordered the horses to be turned, and very civilly conducted him home. The other members were in like manner intercepted. And the two regiments in Palace-yard, observing that they were exposed to derision, peaceably retired to their quarters. A little before this bold enterprise, a solemn fast had been kept by the army, and it is remarked that this ceremony was the usual prelude to every signal violence which they committed.

The officers found themselves again invested with supreme authority, of which they intended for ever to retain the substance, however, they might bestow on others the empty shadow or appearance. They (Oct. 26) elected a committee of twenty-three persons, of whom seven were officers. These they pretended to invest with sovereign authority, and they called them a 'committee of safety.' They spoke everywhere of summoning a parliament chosen by the people; but they really took some steps towards assembling a military parliament, composed of officers elected from every regiment in the service (Ludlow). Throughout the three kingdoms there prevailed nothing but the melancholy fears, to the nobility and gentry, of a bloody massacre and extermination, to the rest of the people, of perpetual servitude, beneath those sanctified robbers, whose union and whose divisions would be equally destructive, and who, under pretence of

superior illuminations, would soon extupate, if possible, all private morality, as they had already done all public law and justice, from the British dominions

During the time that England continued in this distracted condition, the other kingdoms of Europe were hastening towards a composition of those differences by which they had so long been agitated. The parliament, while it preserved authority, instead of following the imprudent politics of Cromwell, and lending assistance to the conquering Swede, embraced the maxims of the Dutch Commonwealth, and resolved, in conjunction with that state, to mediate by force an accommodation between the northern crowns. Montague was sent with a squadron to the Baltic, and carried with him as ambassador Algernon Sidney, the celebrated republican. Sidney found the Swedish monarch employed in the siege of Copenhagen, the capital of his enemy, and was highly pleased, that, with a Roman arrogance, he could check the progress of royal victories, and display in so signal a manner the superiority of freedom above tyranny. With the highest indignation, the ambitious prince was obliged to submit to the imperious mediation of the two commonwealths. 'It is cruel,' said he, 'that laws should be prescribed me by parricides and pedlars.' But his whole army was enclosed in an island, and might be starved by the combined squadrons of England and Holland. He was obliged, therefore, to quit his prey, when he had so nearly gotten possession of it, and having agreed to a pacification with Denmark, he returned into his own country, where he soon after died.

The wars between France and Spain were also concluded by the treaty of the Pyrenees. These animosities had long been carried on between the rival states, even while governed by a sister and brother, who cordially loved and esteemed each other. But politics, which had so long prevailed over these friendly affections, now at last yielded to their influence, and never was the triumph more full and complete. The Spanish Low Countries, if not every part of that monarchy, lay almost entirely at the mercy of its enemy. Broken armies, disordered finances, slow and irresolute counsels; by these resources alone were the dispersed provinces of Spain defended against the vigorous power of France. But the queen regent, anxious for the fate of her brother, employed her authority with the cardinal to stop the progress of the French conquests, and put an end to a quarrel, which, being commenced by ambition, and attended with victory, was at last concluded with moderation. The young monarch of France, though aspiring and warlike in his character, was at this time entirely occupied in the pleasures of love and gallantry, and had passively resigned the reins of empire into the hands of his politic minister. And he remained an unconcerned spectator, while an opportunity for conquest was parted with, which he never was able, during the whole course of his active reign, fully to retrieve.

The ministers of the two crowns, Mazarine and Don Louis de Haro, met at the foot of the Pyrenees, in the Isle of Pheasants, a place which was supposed to belong to neither kingdom. The negotiation being brought to an issue by frequent conferences between the ministers, the monarchs themselves agreed to a congress, and these two

splendid courts appeared in their full lustre amidst those savage mountains Philip brought his daughter, Mary Theresa, along with him, and giving her in marriage to his nephew, Louis, endeavoured to cement by this new tie the incompatible interests of the two monarchies The French king made a solemn renunciation of every succession, which might accrue to him in right of his consort, a formality, too weak to restrain the ungoverned ambition of princes.

The affairs of England were in so great disorder, that it was not possible to comprehend that kingdom in that treaty, or adjust measures with a power, which was in such incessant fluctuation The king, reduced to despair by the failure of all enterprises for his restoration, was resolved to try the weak resource of foreign succours, and he went to the Pyrenees at the time when the two ministers were in the midst of their negotiations Don Louis received him with that generous civility, peculiar to his nation, and expressed great inclination, had the low condition of Spain allowed him, to give assistance to the distressed monarch The cautious Mazaurio, pleading the alliance of France with the English Commonwealth, refused even to see him, and though the king offered to marry the cardinal's niece (K. James's Mem.), he could, for the present, obtain nothing but empty professions of respect, and protestations of services The condition of that monarch, to all the world, seemed totally desperate. His friends had been baffled in every attempt for his service the scaffold had often streamed with the blood of the more active royalists. the spirits of many were broken with tedious imprisonments the estates of all were burthened by the fines and confiscations which had been levied upon them no one durst openly avow himself of that party. and so small did their number seem to a superficial view, that, even should the nation recover its liberty, which was deemed no wise probable, it was judged uncertain what form of government it would embrace. But amidst all these gloomy prospects, fortune, by a surprising revolution, was now paving the way for the king to mount, in peace and triumph, the throne of his ancestors It was by the prudence and loyalty of General Monk, that this happy change was at last accomplished

George Monk, to whom the fate was reserved of re-establishing monarchy, and finishing the bloody dissensions of three kingdoms, was the second son of a family in Devonshire, ancient and honourable, but lately, from too great hospitality and expense, somewhat fallen to decay. He betook himself, in early youth, to the profession of arms, and was engaged in the unfortunate expeditions to Cadiz and the isle of Rhé After England had concluded peace with all her neighbours, he sought military experience in the Low Countries, the great school of war to all the European nations, and he rose to the command of a company under Lord Goring This company consisted of 200 men, of whom 100 were volunteers, often men of family and fortune, sometimes noblemen, who lived upon their own income in a splendid manner. Such a military turn at that time prevailed among the English!

When the sound of war was first heard in this island, Monk returned to England, partly desirous of promotion in his native country, partly disgusted with some ill-usage from the States, of which he found reason to complain Upon the Scottish pacification, he was employed by the

Earl of Leicester against the Irish rebels, and having obtained a regiment, was soon taken notice of, for his military skill, and for his calm and deliberate valour. Without ostentation, expense, or caresses, merely by his humane and equal temper, he gained the good-will of the soldiery, who, with a mixture of familiarity and affection, usually called him 'honest George Monk,' an honourable appellation, which they still continued to him, even during his greatest elevation. He was remarkable for his moderation in party; and while all around him were inflamed into rage against the opposite faction, he fell under suspicion from the candour and tranquillity of his behaviour. When the Irish army was called over into England, surmises of this kind had been so far credited, that he had even been suspended from his command, and ordered to Oxford, that he might answer the charge laid against him. His established character for truth and sincerity here stood him in great stead, and upon his earnest protestations and declarations, he was soon restored to his regiment, which he joined at the siege of Nantwich. The day after his arrival, Fairfax attacked and defeated the Royalists, commanded by Biron, and took Colonel Monk prisoner. He was sent to the Tower, where he endured, about two years, all the rigours of poverty and confinement. The king, however, was so mindful as to send him, notwithstanding his own difficulties, a present of 100 guineas, but it was not till after the Royalists were totally subdued, that he recovered his liberty. Monk, however distressed, had always refused the most inviting offers from the parliament; but Cromwell, sensible of his merit, having solicited him to engage in the war against the Irish, who were considered as rebels both by king and parliament, he was not unwilling to repair his broken fortunes by accepting a command, which, he flattered himself, was reconcileable to the strictest principles of honour. Having once engaged with the parliament, he was obliged to obey orders; and found himself necessitated to fight, both against the Marquess of Ormond in Ireland, and against the king himself in Scotland. Upon the reduction of the latter kingdom, Monk was left with the supreme command; and by the equality and justice of his administration he was able to give contentment to that restless people, now reduced to subjection by a nation whom they hated. No less acceptable was his authority to the officers and soldiers, and foreseeing, that the goodwill of the army under his command might some time be of great service to him, he had, with much care and success, cultivated their friendship.

The connexions, which he had formed with Cromwell, his benefactor, preserved him faithful to Richard, who had been enjoined by his father to follow in everything the directions of General Monk. When the long parliament was restored, Monk, who was not prepared for opposition, acknowledged their authority, and was continued in his command, from which it would not have been safe to attempt dislodging him. After the army had expelled the parliament, he protested against the violence, and resolved, as he pretended, to vindicate their invaded privileges. Deeper designs, either in the king's favour or his own, were, from the beginning, suspected to be the motive of his actions.

A rivalry had long subsisted between him and Lambert; and

everybody saw the reason why he opposed the elevation of that ambitious general, by whose success his own authority, he knew, would soon be subverted. But little friendship had ever subsisted between him and the parliamentary leaders, and it seemed nowise probable, that he intended to employ his industry, and spend his blood, for the advancement of one enemy above another. How early he entertained designs for the king's restoration, we know not with certainty: it is likely, that, as soon as Richard was deposed, he foresaw, that, without such an expedient, it would be impossible ever to bring the nation to a regular settlement. His elder and younger brothers were devoted to the royal cause: the Granvilles, his near relations, and all the rest of his kindred, were in the same interests: he himself was intoxicated with no fumes of enthusiasm, and had maintained no connexions with any of the fanatical tribe. His early engagements had been with the king, and he had left that service without receiving any disgust from the royal family. Since he had enlisted himself with the opposite party, he had been guilty of no violence or rigour, which might render him obnoxious. His return, therefore, to loyalty was easy and open, and nothing could be supposed to counterbalance his natural propensity to that measure, except the views of his own elevation, and the prospect of usurping the same grandeur and authority which had been assumed by Cromwell. But from such exorbitant, if not impossible projects, the natural tranquillity and moderation of his temper, the calmness and solidity of his genius, not to mention his age, now upon the decline, seem to have set him at a distance. Cromwell himself, he always asserted (*Gumbel's Life of Monk*, p. 93), could not have maintained his usurpation, and any other person, even equal to him in genius, it was obvious, would now find it more difficult to practise arts, of which every one, from experience, was sufficiently aware. It is more agreeable, therefore, to reason as well as candour, to suppose, that Monk, as soon as he put himself in motion, had entertained views of effecting the king's restoration, nor ought any objections, derived from his profound silence even to Charles himself, be regarded as considerable. His temper was naturally reserved, his circumstances required dissimulation, the king, he knew, was surrounded with spies and traitors; and, upon the whole, it seems hard to interpret that conduct, which ought to exalt our idea of his prudence, as a disparagement of his probity.

Sir John Granville, hoping that the general would engage in the king's service, sent into Scotland his younger brother, a clergyman, Dr. Monk, who carried him a letter and invitation from the king. When the doctor arrived, he found, that his brother was then holding a council of officers, and was not to be seen for some hours. In the mean time, he was received and entertained by Price, the general's chaplain, a man of probity, as well as a partizan of the king's. The doctor, having an entire confidence in the chaplain, talked very freely to him about the object of his journey, and engaged him, if there should be occasion, to second his applications. At last, the general arrives; the brothers embrace, and after some preliminary conversation, the doctor opens his business. Monk interrupted him, to know whether he had ever before to anybody mentioned the subject. 'To

'nobody,' replied his brother, 'but to Price, whom I know to be entirely 'in your confidence' The general, altering his countenance, turned the discourse, and would enter into no farther confidence with him, but sent him away with the first opportunity. He would not trust his own brother the moment he knew that he had disclosed the secret, though to a man whom he himself could have trusted (Lansdown's *Defence of Monk*)

His conduct in all other particulars was full of the same reserve and prudence, and no less was requisite for effecting the difficult work which he had undertaken. All the officers in his army, of whom he entertained any suspicion, he immediately cashiered. Cobbet, who had been sent by the committee of safety under pretence of communicating their resolutions to Monk, but really with a view of debauching his army, he committed to custody. He drew together the several scattered regiments. He summoned an assembly, somewhat resembling a convention of states; and having communicated to them his resolution of marching into England, he received a seasonable, though no great supply of money.

Hearing that Lambert was advancing northward with his army, Monk sent Clobciry and two other commissioners to London, with large professions of his inclination to peace, and with offers of terms for an accommodation. His chief aim was to gain time, and relax the preparations of his enemies. The committee of safety fell into the snare. A treaty was signed by Monk's commissioners, but he refused to ratify it, and complained that they had exceeded their powers. He desired, however, to enter into a new negotiation at Newcastle. The committee willingly accepted this fallacious offer.

Meanwhile these military sovereigns found (Nov. 1659) themselves surrounded on all hands with inextricable difficulties. The nation had fallen into total anarchy, and by refusing the payment of all taxes, reduced the army to the greatest necessities. While Lambert's forces were assembling at Newcastle, Hazlrig and Moiley took possession of Portsmouth, and declared for the parliament. A party, sent to suppress them, was persuaded by their commander to join in the same declaration. The city apprentices rose in a tumult, and demanded a free parliament. Though they were suppressed by Colonel Hewson, a man who from the profession of a cobbler had risen to a high rank in the army, the city still discovered symptoms of the most dangerous discontent. It even established a kind of separate government, and assumed the supreme authority within itself. Admiral Lawson with his squadron came into the river, and declared for the parliament. Hazlrig and Morley, hearing of this important event, left Portsmouth and advanced towards London. The regiments near that city, being solicited by their old officers, who had been cashiered by the committee of safety, revolted again to the parliament. Desborough's regiment, being sent by Lambert to support his friends, no sooner arrived at St. Albans than it declared for the same assembly.

Fleetwood's hand was found too weak and unstable to support this ill-founded fabric, which, everywhere around him, was falling into ruins. When he received intelligence of any murmurs among the soldiers, he would prostrate himself in prayer, and could hardly be

prevailed with to join the troops. Even when among them he would, in the midst of any discourse, invite them all to prayer, and put himself on his knees before them. If any of his friends exhorted him to more vigour, they could get no other answer than that God had spitten in his face, and would not hear him. Men now ceased to wonder why Lambert had promoted him to the office of general, and had contented himself with the second command in the army.

Lenthal, the speaker, being invited by the officers, again assumed authority, and (Dec 26) summoned together the parliament, which twice before had been expelled with so much reproach and ignominy. As soon as assembled, they repealed their act against the payment of excise and customs, they appointed commissioners for assigning quarters to the army, and, without taking any notice of Lambert, they sent orders to the forces under his command immediately to repair to those quarters which were appointed them.

Lambert was now in a very disconsolate condition. Monk, he saw, had (Jan 1st, A.D. 1660) passed the Tweed at Coldstream, and was advancing upon him. His own soldiers deserted him in great multitudes, and joined the enemy. Lord Fairfax too, he heard, had raised forces behind him, and had possessed himself of York, without declaring his purpose. The last orders of the parliament so entirely stripped him of his army, that there remained not with him above a hundred horse. All the rest went to their quarters with quietness and resignation, and he himself was, some time after, arrested and committed to the Tower. The other officers, who had formerly been cashiered by the parliament, and who had resumed their commands that they might subdue that assembly, were again cashiered and confined to their houses. Sir Harry Vane and some members, who had concurred with the committee of safety, were ordered into a like confinement. And the parliament now seemed to be again possessed of more absolute authority than ever, and to be without any danger of opposition or control.

The republican party was at this time guided by two men, Hazelrig and Vane, who were of opposite characters, and mortally hated each other. Hazelrig, who possessed greater authority in the parliament, was haughty, imperious, precipitate, vain-glorious, without civility, without prudence; qualified only by his noisy, pertinacious obstinacy to acquire an ascendant in public assemblies. Vane was noted, in all civil transactions, for temper, insinuation, address, and a profound judgment, in all religious speculations, for folly and extravagance. He was a perfect enthusiast, and fancying that he was certainly favoured with inspiration, he deemed himself, to speak in the language of the times, to be a 'man above ordinances,' and, by reason of his perfection, to be unlimited and unrestrained by any rules which govern inferior mortals. These whimsies, mingling with pride, had so corrupted his excellent understanding, that sometimes he thought himself the person deputed to reign on earth for a thousand years over the whole congregation of the faithful (Clarendon).

Monk, though informed of the restoration of the Parliament, from whom he received no orders, still advanced with his army, which was near 6,000 men; the scattered forces in England were above five

times more numerous. Fairfax, who had resolved to declare for the king, not being able to make the general open his intentions, retired to his own house in Yorkshire. In all counties through which Monk passed the prime gentry flocked to him with addresses, expressing their earnest desire that he would be instrumental in restoring the nation to peace and tranquillity, and to the enjoyment of those liberties which by law were their birthright, but of which during so many years they had been fatally bereaved, and that, in order to this salutary purpose he would prevail, either for the restoring of those members who had been secluded before the king's death, or for the election of a new Parliament, who might legally, and by general consent, again govern the nation. Though Monk pretended not to favour these addresses, that ray of hope which the knowledge of his character and situation afforded, mightily animated all men. The tyranny and the anarchy which now equally oppressed the kingdom, the experience of past distractions, the dread of future convulsions, the indignation against military usurpation, against sanctified hypocrisy, all these motives had united every party, except the most desperate, into ardent wishes for the king's restoration, the only remedy for all these fatal evils.

Scott and Robinson were sent as deputies by the parliament, under pretence of congratulating the general, but in reality to serve as spies upon him. The city dispatched four of their principal citizens to perform like compliments, and at the same time to confirm the general in his inclination to a free parliament, the object of all men's prayers and endeavours. The authority of Monk could scarcely secure the parliamentary deputies from those insults which the general hatred and contempt towards their masters drew from men of every rank and denomination.

Monk continued his march with few interruptions till he reached St Alban's. He there sent a message to the parliament, desiring them to remove from London those regiments which, though they now professed to return to their duty, had so lately offered violence to that assembly. This message was unexpected, and exceedingly displeased the House. Their fate, they found, must still depend on a mercenary army; and they were as distant as ever from their imaginary sovereignty. However, they found it necessary to comply. The soldiers made more difficulty. A mutiny arose among them. One regiment in particular, quartered in Somerset House, expressly refused to yield their place to the northern army. But those officers who would gladly, on such an occasion, have inflamed the quarrel, were absent or in confinement, and for want of leaders, the soldiers were at last, with great reluctance, obliged to submit. Monk with his army took (Feb. 3) quarters in Westminster.

The general was (Feb. 6) introduced to the House; and thanks were given him by Lenthall for the eminent services which he had done his country. Monk was a prudent, not an eloquent speaker. He told the House that the services which he had been enabled to perform were no more than his duty, and merited not such praises as those with which they were pleased to honour him, that among many persons of greater worth, who bore their commission, he had

been employed as the instrument of providence for effecting their restoration. But he considered this service as a step only to more important services which it was their part "to render to the nation that while on his march, he observed all ranks of men, in all places, to be in earnest expectation of a settlement, after the violent convulsions to which they had been exposed, and to have no prospect of that blessing but from the dissolution of the present parliament, and from the summoning of a new one, free and full, who, meeting without oaths or engagements, might finally give contentment to the nation; that applications had been made to him for that purpose, but that he, sensible of his duty, had still told the petitioners that the parliament itself, which was now free, and would soon be full, was the best judge of all these measures, and that the whole community ought to acquiesce in their determination, that though he expressed himself in this manner to the people he must now freely inform the House that the fewer engagements were exacted the more comprehensive would their plan prove, and the more satisfaction would it give to the nation, and that it was sufficient for public security if the fanatical party and the royalists were excluded, since the principles of these factions were destructive either of government or of liberty.

This speech, containing matter which was both agreeable and disagreeable to the house as well as to the nation, still kept every one in suspense, and upheld that uncertainty, in which it seemed the general's interest to retain the public. But it was impossible for the kingdom to remain long in this doubtful situation the people, as well as the parliament, pushed matters to a decision. During the late convulsions, the payment of taxes had been interrupted, and though the parliament, upon their assembling, renewed the ordinances for impositions, yet so little reverence did the people pay to those legislators, that they gave very slow and unwilling obedience to their commands. The common council of London flatly refused to submit to an assessment, required of them, and declared, that, till a free and lawful parliament imposed taxes, they never should deem it their duty to make any payment. This resolution, if yielded to, would immediately have put an end to the dominion of the parliament they were determined, therefore, upon this occasion to make at once a full experiment of their own power and their general's obedience.

Monk received orders (Feb 9) to march into the city, to seize twelve persons, the most obnoxious to the parliament, to remove the posts and chains from all the streets, and to take down and break the portcullises and gates of the city and very few lions were allowed him to deliberate upon the execution of these violent orders. To the great surprise and consternation of all men, Monk prepared himself for obedience. Neglecting the entreaties of his friends, the remonstrances of his officers, the cries of the people, he entered the city in a military manner, he apprehended as many as he could of the proscribed persons, whom he sent to the Tower, with all the circumstances of contempt he broke the gates and portcullises, and having exposed the city to the scorn and derision of all who hated it, he returned in triumph to his quarters in Westminster.

No sooner had the general leisure to reflect, than he found, that this last measure, instead of being a continuation of that cautious ambiguity, which he had hitherto maintained, was taking party without reserve, and laying himself, as well as the nation, at the mercy of that tyrannical parliament, whose power had long been odious, as their persons contemptible, to all men. He resolved, therefore, before it were too late, to repair the dangerous mistake into which he had been betrayed, and to show the whole world, still more without reserve, that he meant no longer to be the minister of violence and usurpation. After complaining of the odious service in which he had been employed he (Feb 11) wrote a letter to the house, reproaching them, as well with the new cabals which they had formed with Vane and Lambert, as with the encouragement given to a fanatical petition presented by Praesegod Barebone, and he required them, in the name of the citizens, soldiers, and whole commonwealth, to issue writs, within a week, for the filling of their house, and to fix the time for their own dissolution and the assembling of a new parliament. Having despatched this letter, which might be regarded, he thought, as an undoubted pledge of his sincerity, he marched with his army into the city, and desired Allen, the Mayor, to summon a common-council at Guildhall. He there made many apologies for the indignity which, two days before, he had been obliged to put upon them, assured them of his perseverance in the measures which he had adopted, and desired that they might mutually plight their faith for a strict union between city and army, in every enterprise for the happiness and settlement of the commonwealth.

It would be difficult to describe the joy and exultation, which displayed itself throughout the city, as soon as intelligence was conveyed of this happy measure embraced by the general. The prospect of peace, concord, liberty, justice, broke forth at once, from amidst the deepest darkness in which the nation had ever been involved. The view of past calamities no longer presented dismal prognostics of the future. It tended only to enhance the general exultation for those scenes of happiness and tranquillity, which all men now confidently promised themselves. The royalists, the presbyterians, forgetting all animosities, mingled in common joy and transport, and vowed never more to gratify the ambition of false and factious tyrants by their calamitous divisions. The populace, more outrageous in their festivity, made the air resound with acclamations, and illuminated every street with signals of jollity and triumph. Applauses of the general were everywhere intermingled with detestation against the Parliament. The most ridiculous inventions were adopted, in order to express this latter passion. At every bonfire rumps were roasted, and where these could no longer be found, pieces of flesh were cut into that shape, and the funeral of the parliament (the populace exclaimed) was celebrated by these symbols of hatred and detestation.

The parliament, though in the agonies of despair, made still one effort for the recovery of their dominion. They sent a committee with offers to gain the general. He refused to hear them, except in the presence of some of the secluded members. Though several persons, desperate from guilt and fanaticism, promised to invest him with

the dignity of supreme magistrate, and to support his government, he would not hearken to such wild proposals. Having fixed a close correspondence with the city, and established its militia in hands whose fidelity could be relied on, he returned with his army to Westminster, and pursued every proper measure for the settlement of the nation. While he still pretended to maintain republican principles, he was taking large steps towards the re-establishment of the ancient monarchy.

The secluded members, upon the general's invitation (Feb 21), went to the house, and finding no longer any obstruction, they entered, and immediately appeared to be the majority. Most of the independents left the place. The restored members first repealed all the ordinances by which they had been excluded. They gave Sir George Booth and his party their liberty and estates. They renewed the general's commission, and enlarged his powers. They (Mar. 16) fixed an assessment for the support of the fleet and army. And having passed these votes for the present composition of the kingdom, they dissolved themselves, and issued writs for the immediate assembling of a new parliament. This last measure had been previously concerted with the general, who knew that all men, however different in affections, expectations, and designs, united in detestation of the long parliament.

A council of state was established, consisting of men of character and moderation, most of whom, during the civil wars, had made a great figure among the presbyterians. The militia of the kingdom was put into such hands as would promote order and settlement. These, conjoined with Monk's army, which lay united at London, were esteemed a sufficient check on the more numerous, though dispersed army, of whose inclinations there was still much reason to be diffident. Monk, however, was every day removing the more obnoxious officers, and bringing the troops to discipline and obedience.

Overton, governor of Hull, had declared his resolution to keep possession of that fortress till the coming of King Jesus. But when Alured produced the authority of parliament for his delivering the place to Colonel Fairfax, he thought proper to comply.

Montague, who commanded the fleet in the Baltic, had entered into the conspiracy with Sir George Booth, and pretending want of provisions, had sailed from the Sound towards the coast of England, with an intention of supporting that insurrection of the royalists. On his arrival he received the news of Booth's defeat, and the total failure of the enterprise. The great difficulties, to which the parliament was then reduced, allowed them no leisure to examine strictly the reasons which he gave for quitting his station, and they allowed him to retire peaceably to his country-house. The council of state now conferred on him, in conjunction with Monk, the command of the fleet, and secured the naval as well as military force in hands favourable to the public settlement.

Notwithstanding all these steps which were taking towards the re-establishment of monarchy, Monk still maintained the appearance of zeal for a commonwealth, and hitherto allowed no canal of correspondence between himself and the king to be opened. To call a free parliament, and to restore the royal family, were visibly, in the present

disposition of the kingdom, one and the same measure . yet would not the general declare, otherwise than by his actions, that he had adopted the king's interests , and nothing but necessity extorted at last the confession from him . His silence, in the commencement of his enterprise, ought to be no objection to his sincerity , since he maintained the same reserve, at a time, when, consistent with common sense, he could have entertained no other purpose¹

There was one Morrice, a gentleman of Devonshire, of a sedentary studious disposition, nearly related to Monk, and one who had always maintained the strictest intimacy with him . With this friend alone did Monk deliberate concerning that great enterprise which he had projected. Sir John Granville, who had a commission from the king, applied to Morrice for access to the general , but received for answer, that the general desired him to communicate his business to Morrice Granville, though impotunately urged, twice refused to deliver his message to any but Monk himself , and this cautious politician, finding him now a person whose secrecy could be safely trusted, admitted him to his presence, and opened to him his whole intentions . Still he scrupled to commit anything to writing (Lansdowne, Clarendon) he delivered only a verbal message by Granville , assuring the king of his services, giving advice for his conduct, and exhorting him instantly to leave the Spanish territories, and retire into Holland . He was apprehensive lest Spain might detain him as a pledge for the recovery of Dunkirk and Jamaica . Charles followed these directions, and very narrowly escaped to Breda . Had he protracted his journey a few hours, he had certainly, under pretence of honour and respect, been arrested by the Spaniards

Lockhart, who was governor of Dunkirk, and no wise averse to the king's service, was applied to on this occasion. The state of England was set before him, the certainty of the restoration represented, and the prospect of great favour displayed, if he would anticipate the vows of the kingdom, and receive the king into his fortress . Lockhart still replied, that his commission was derived from an English parliament, and he would not open his gates but in obedience to the same authority (Burnet) . This scruple, though in the present emergence it approaches towards superstition, it is difficult for us entirely to condemn.

The elections for the new parliament went everywhere in favour of the king's party . This was one of those popular torrents, where the most indifferent, or even the most averse, are transported with the general passion, and zealously adopt the sentiments of the community to which they belong . The enthusiasts themselves seemed to be dis-

¹ After Monk's declaration for a free parliament on the 11th of February, he could mean nothing but the king's restoration , yet it was long before he would open himself even to the king . This declaration was within eight days after his arrival in London . Had he ever intended to have set up for himself he would not surely have so soon abandoned a project so inviting , he would have taken some steps which would have betrayed it . It could only have been some disappointment—some frustrated attempt, which could have made him renounce the road of private ambition . But there is not the least symptom of such intentions. The story told of Sir Anthony Ashley Cooper, by Mr Locke, has not any appearance of truth (see Lord Lansdowne's 'Vindication', and Philips's 'Continuation of Baker') . I shall add to what those authors have advanced that Cardinal Mazarine wished for the king's restoration ; though he would not have ventured much to have procured it

armed of their fury ; and between despair and astonishment gave way to those measures, which, they found, it would be impossible for them, by their utmost efforts, to withstand. The presbyterians and the royalists, being united, formed the voice of the nation, which, without noise, but with infinite ardour, called for the king's restoration. The kingdom was almost entirely in the hands of the former party, and some zealous leaders among them began to renew the demand of those conditions which had been required of the late king in the treaty of Newport. but the general opinion seemed to condemn all those rigorous and jealous capitulations with their sovereign. Harassed with convulsions and disorders, men ardently longed for repose, and were terrified at the mention of negotiations or delays, which might afford opportunity to the seditious army still to breed new confusion. The passion too for liberty, having been carried to such violent extremes, and having produced such bloody commotions, began, by a natural movement, to give place to a spirit of loyalty and obedience, and the public was less zealous in a cause which was become odious, on account of the calamities which had so long attended it. After the legal concessions made by the late king, the constitution seemed to be sufficiently secured ; and the additional conditions insisted on, as they had been framed during the greatest ardour of the contest, amounted rather to annihilation than a limitation of monarchy. Above all, the general was averse to the mention of conditions, and resolved, that the crown, which he intended to restore, should be conferred on the king entirely free and unencumbered. Without further scruple, therefore, or jealousy, the people gave their voice in elections for such as they knew to entertain sentiments favourable to monarchy, and all paid court to a party which, they foresaw, was soon to govern the nation. Though the parliament had voted, that no one should be elected, who had himself, or whose father, had borne arms for the late king ; little regard was anywhere paid to this ordinance. The leaders of the presbyterians, the Earl of Manchester, Lord Fairfax, Lord Roberts, Hollis, Sir Anthony Ashley Cooper, Annesley, Lewis, were determined to atone for past transgressions by their present zeal for the royal interests ; and from former merits, successes, and sufferings, they had acquired with their party the highest credit and authority.

The affairs of Ireland were in a condition no less favourable to the king. As soon as Monk declared against the English army, he despatched emissaries into Ireland, and engaged the officers in that kingdom to concur with him in the same measures. Lord Broghill, President of Munster, and Sir Charles Coote, President of Connaught, went so far as to enter into a correspondence with the king, and to promise their assistance for his restoration. In conjunction with Sir Theophilus Jones and other officers, they took possession of the government, and excluded Ludlow, who was zealous for the rump-Parliament, but whom they pretended to be in a confederacy with the Committee of Safety. They kept themselves in readiness to serve the king, but made no declarations, till they should see the turn which affairs took in England.

But all these promising views had almost been blasted by an untoward accident. Upon the admission of the secluded members, the

republican party, particularly the late king's judges, were seized with the justest despair, and endeavoured to infuse the same sentiments into the army. By themselves or their emissaries, they represented to the soldiers, that all those brave actions which had been performed during the war, and which were so meritorious in the eyes of the parliament, would no doubt be regarded as the deepest crimes by the royalists, and would expose the army to the severest vengeance. That in vain did that party make professions of moderation and lenity: the king's death, the execution of so many of the nobility and gentry, the sequestration and imprisonment of the rest, were in their eyes crimes so deep, and offences so personal, as must be prosecuted with the most implacable resentment. That the loss of all arrears, and the cashiering of every officer and soldier, were the lightest punishment which must be expected after the dispersion of the army, no further protection remained to them, either for life or property, but the clemency of enraged victors. And that, even if the most perfect security could be obtained, it were inglorious to be reduced, by treachery and deceit, to subjection under a foe, who, in the open field, had so often yielded to their superior valour.

After these suggestions had been infused into the army, Lambert suddenly made his escape from the Tower, and threw Monk and the council of state into great consternation. They knew Lambert's vigour and activity, they were acquainted with his popularity in the army, they were sensible, that, though the soldiers had lately deserted him, they sufficiently expressed their remorse and their detestation of those, who, by false professions, they found, had so egregiously deceived them. It seemed necessary, therefore, to employ the greatest celerity in suppressing so dangerous a foe. Colonel Ingoldsby, who had been one of the late king's judges, but who was now entirely engaged in the royal cause, was despatched after him. He overtook (April 22) him at Daventry, while he had yet assembled but four troops of horse. One of them deserted him. Another quickly followed the example. He himself, endeavouring to make his escape, was seized by Ingoldsby, to whom he made submissions, not suitable to his former character of spirit and valour. Okey, Axtel, Cobbet, Ciede, and other officers of that party, were taken prisoners with him. All the roads were full of soldiers hastening to join them. In a few days, they had been formidable. And it was thought, that it might prove dangerous for Monk himself to have assembled any considerable body of his republican army for their suppression: so that nothing could be more happy than the sudden extinction of this rising flame.

When the parliament met, they (April 25) chose Sir Haibottle Grimstone speaker, a man who, though he had for some time concurred with the late parliament, had long been esteemed affectionate to the king's service. The great dangers, incurred during former usurpations, joined to the extreme caution of the general, kept every one in awe; and none dared, for some days, to make any mention of the king. The members exerted their spirit chiefly in bitter invectives against the memory of Cromwell, and in execrations against the inhuman murder of their late sovereign. At last (May 1) the general, having sufficiently sounded their inclinations, gave directions to

Annesley, president of the council, to inform them, that one Sir John Granville, a servant of the king's, had been sent over by his majesty, and was now at the door with a letter to the commons. The loudest acclamations were excited by this intelligence. Granville was called in the letter, accompanied with a declaration, greedily read without one moment's delay, and without a contradictory vote, a committee was appointed to prepare an answer and in order to spread the same satisfaction throughout the kingdom, it was voted that the letter and declaration should immediately be published.

The people, freed from the state of suspense in which they had so long been held, now changed their anxious hope for the unmixt effusions of joy, and displayed a social triumph and exultation, which no private prosperity, even the greatest, is ever able fully to inspire. Traditions remain of men, particularly of Oughtred, the mathematician, who died of pleasure, when informed of this happy and surprising event. The king's declaration was well calculated to uphold the satisfaction, inspired by the prospect of public settlement. It offered a general amnesty to all persons whatsoever, and that without any exceptions but such as should afterwards be made by parliament. It promised liberty of conscience and a concurrence in any act of parliament which, upon mature deliberation, should be offered, for insuring that indulgence. It submitted to the arbitration of the same assembly the inquiry into all grants, purchases, and alienations and it assured the soldiers of all their arrears, and promised them, for the future, the same pay which they then enjoyed.

The lords, perceiving the spirit by which the kingdom, as well as the commons, was animated, hastened to reinstate themselves in their ancient authority, and to take their share in the settlement of the nation. They found the doors of their house open, and all were admitted, even such as had been excluded on account of their pretended delinquency.

The two houses attended (May 8), while the king was proclaimed with great solemnity, in Palace Yard at Whitehall, and at Temple Bar. The commons voted 500*l* to buy a jewel for Granville, who had brought them the king's gracious messages. A present of 50,000*l* was conferred on the king, 10,000*l* on the Duke of York, 5000*l* on the Duke of Gloucester. A committee of lords and commons was despatched to invite his majesty to return and take possession of the government. The rapidity with which all these events were conducted, was marvellous, and discovered the passionate zeal and entire unanimity of the nation. Such an impatience appeared, and such an emulation, in lords, and commons, and city, who should make the most lively expressions of their joy and duty, that, as the noble historian expresses it, a man could not but wonder where those people dwelt, who had done all the mischief, and kept the king so many years from enjoying the comfort and support of such excellent subjects. The king himself said, that it must surely have been his own fault, that he had not sooner taken possession of the throne, since he found everybody so zealous in promoting his happy restoration.

The respect of foreign powers soon followed the submission of the king's subjects. Spain invited him to return to the Low Countries, and embark from some of her maritime towns. Fiance made protesta-

tions of affection and regard, and offered Calais for the same purpose. The States-general sent deputies with a like friendly invitation. The king resolved to accept of this last offer. The people of the republic bore him a cordial affection, and politics no longer restrained their magistrates from promoting and expressing that sentiment. As he passed from Breda to the Hague, he was attended by numerous crowds, and was received with the loudest acclamations, as if themselves, not their rivals in power and commerce, were now restored to peace and security. The States-general in a body, and afterwards the States of Holland apart, performed their compliments with the greatest solemnity every person of distinction was ambitious of being introduced to his majesty, all ambassadors and public ministers of kings, princes, or states, repaired to him, and professed the joy of their masters in his behalf so that one would have thought, that from the united efforts of Christendom had been derived this revolution, which diffused everywhere such universal satisfaction.

The English fleet came in sight of Scheveling. Montague had not waited for orders from the parliament, but had persuaded the officers, of themselves, to tender their duty to his majesty. The Duke of York immediately went on board, and took the command of the fleet as high admiral of England.

When the king disembarked at Dover, he was met by the general, whom he cordially embraced. Never subject in fact, probably in his intentions, had deserved better of his king and country. In the space of a few months, without effusion of blood, by his cautious and disinterested conduct alone, he had bestowed settlement on three kingdoms, which had long been torn with the most violent convulsions: and having obstinately refused the most inviting conditions offered him by the king, as well as by every party in the kingdom, he freely restored his injured master to the vacant throne. The king entered London on the 29th of May, which was also his birth-day. The fond imaginations of men interpreted as a happy omen the concurrence of two such joyful periods.

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At this era, it may be proper to stop a moment, and take a general survey of the age, so far as regards manners, finances, arms, commerce, arts and sciences. The chief use of history is, that it affords materials for disquisitions of this nature; and it seems the duty of an historian to point out the proper inferences and conclusions.

No people could undergo a change more sudden and entire in their manners, than did the English nation during this period. From tranquillity, concord, submission, sobriety, they passed in an instant to a state of faction, fanaticism, rebellion, and almost frenzy. The violence of the English parties exceeded anything which we can now imagine: had they continued but a little longer, there was just reason to dread all the horrors of the ancient massacres and proscriptions. The military usurpers, whose authority was founded on palpable injustice, and was supported by no national party, would have been impelled by rage and despair into such sanguinary measures, and if these furious expedients had been employed on one side, revenge would naturally have pushed the other party, after a return of power, to retaliate upon

their enemies. No social intercourse was maintained between the parties; no marriages or alliances contracted. The royalists, though oppressed, harassed, persecuted, disdained all affinity with their masters. The more they were reduced to subjection, the greater superiority did they affect above those usurpers, who by violence and injustice had acquired an ascendant over them.

The manners of the two factions were as opposite as those of the most distant nations. 'Your friends, the Cavaliers,' said a parliamentarian to a royalist, 'are very dissolute and debauched.' 'True,' replied the royalist, 'they have the infirmities of men; but your friends, the Roundheads, have the vices of devils, tyranny, rebellion, and spiritual pride' (Sir Philip Warwick). Riot and disorder, it is certain, notwithstanding the good example set them by Charles I., prevailed very much among his partizans. Being commonly men of birth and fortune, to whom excesses are less pernicious than to the vulgar, they were too apt to indulge themselves in all pleasures, particularly those of the table. Opposition to the rigid preciseness of their antagonists increased their inclination to good-fellowship, and the character of a man of pleasure was affected among them, as a sure pledge of attachment to the church and monarchy. Even when ruined by confiscations and sequesterations, they endeavoured to maintain the appearance of a careless and social jollity. 'As much as hope is superior to fear,' said a poor and merry cavalier, 'so much is our situation preferable to that of our enemies. We laugh while they tremble.'

The gloomy enthusiasm, which prevailed among the parliamentary party, is surely the most curious spectacle presented by any history; and the most instructive, as well as entertaining, to a philosophical mind. All recreations were in a manner suspended by the rigid severity of the presbyterians and independents. Horse-races, and cock-matches were prohibited as the greatest enormities (Killing no Murder). Even bear-baiting was esteemed heathenish and unchristian: the sport of it, not the inhumanity, gave offence. Colonel Hewson, from his pious zeal, marched with his regiment into London, and destroyed all the bears, which were there kept for the diversion of the citizens. This adventure seems to have given birth to the fiction of Hudibras. Though the English nation be naturally candid and sincere, hypocrisy prevailed among them beyond any example in ancient or modern times. The religious hypocrisy, it may be remarked, is of a peculiar nature, and being generally unknown to the person himself, though more dangerous, it implies less falsehood than any other species of insincerity. The Old Testament, preferably to the New, was the favourite of all the sectaries. The eastern poetical style of that composition made it more easily susceptible of a turn, which was agreeable to them.

We have had occasion, in the course of this work, to speak of many of the sects which prevailed in England: to enumerate them all would be impossible. The quakers, however, are so considerable, at least so singular, as to merit some attention, and as they renounced by principle the use of arms, they never made such a figure in public transactions as to enter into any part of our narrative.

The religion of the quakers, like most others, began with the lowest

vulgar, and, in its progress, came at last to comprehend people of better quality and fashion. George Fox, born at Drayton in Lancashire in 1624, was the founder of this sect. He was the son of a weaver, and was himself bound apprentice to a shoe-maker. Feeling a stronger impulse towards spiritual contemplations than towards that mechanical profession, he left his master, and went about the country, clothed in a leathern doublet, a dress which he long affected, as well for its singularity as its cheapness. That he might wean himself from sublunary objects, he broke off all connections with his friends and family, and never dwelt a moment in one place, lest habit should beget new connections, and depress the sublimity of his aerial meditations. He frequently wandered into the woods, and passed whole days in hollow trees, without company, or any other amusement than his Bible. Having reached that pitch of perfection as to need no other book, he soon advanced to another state of spiritual progress, and began to pay less regard even to that divine composition itself. His own breast, he imagined, was full of the same inspiration which had guided the prophets and apostles themselves, and by this inward light must every spiritual obscurity be cleared, by this living spirit must the dead letter be animated.

When he had been sufficiently consecrated in his own imagination, he felt that the fumes of self-applause soon dissipate, if not continually supplied by the admiration of others, and he began to seek proselytes. Proselytes were easily gained, at a time when all men's affections were turned towards religion, and when the most extravagant modes of it were sure to be most popular. All the forms of ceremony, invented by pride and ostentation, Fox and his disciples, from a superior pride, and ostentation, carefully rejected: even the ordinary rules of civility were shunned, as the nourishment of carnal vanity and self-conceit. They would bestow no titles of distinction: the name of 'friend' was the only salutation with which they indiscriminately accosted everyone. To no person would they make a bow, or move their hat, or give any signs of reverence. Instead of that affected adulation, introduced into modern tongues, of speaking to individuals as if they were a multitude, they returned to the simplicity of ancient languages, and *thou* and *thee* were the only expressions which, on any consideration, they could be brought to employ.

Dress too, a material circumstance, distinguished the members of this sect. Every superfluity and ornament was carefully renounced: no platts to their coats, no buttons to their sleeves: no lace, no ruffles, no embroidery. Even a button to the hat, though sometimes useful, yet not being always so, was universally rejected by them with horror and detestation.

The violent enthusiasm of this sect, like all high passions, being too strong for the weak nerves to sustain, threw the preachers into convulsions, and shakings, and distortions in their limbs; and they thence received the appellation of 'quakers.' Amidst the great toleration, which was then granted to all sects, and even encouragement given to all innovations, this sect alone suffered persecution. From the fervour of their zeal the quakers broke into churches, disturbed public worship, and harassed the minister and audience with railing and reproaches.

When carried before a magistrate, they refused him all reverence, and treated him with the same familiarity as if he had been their equal. Sometimes they were thrown into mad-houses, sometimes into prisons sometimes whipped, sometimes pilloried. The patience and fortitude with which they suffered begat compassion, admiration, esteem¹ A supernatural spirit was believed to support them under those sufferings, which the ordinary state of humanity, freed from the illusions of passion, is unable to sustain

The quakers crept into the army but as they preached universal peace, they seduced the military zealots from their profession, and would soon, had they been suffered, have put an end, without any defeat or calamity, to the dominion of the saints These attempts became a fresh ground of persecution, and a new reason for their progress among the people

Morals with this sect were carried, or affected to be carried, to the same degree of extravagance as religion Give a quaker a blow on one cheek, he held up the other ask his cloak, he gave you his coat also the greatest interest could not engage him, in any court of judicature, to swear even to the truth he never asked more for his wages than the precise sum which he was determined to accept This last maxim is laudable, and continues still to be religiously observed by that sect

No fanatics ever carried farther the hatred to ceremonies, forms, orders, rites, and positive institutions Even baptism and the Lord's Supper, by all other sects believed to be interwoven with the very vitals of christianity, were disdainfully rejected by them. The very Sabbath they profaned The holiness of churches they denied, and they would give to these sacred edifices no other appellation than that of 'shops' or 'steeple-houses' No priests were admitted in their sect everyone had received from immediate illumination a character much superior to the sacerdotal When they met for divine worship, each rose up in his place and delivered the extemporary inspirations of the Holy Ghost women also were admitted to teach the brethren, and were considered as proper vehicles to convey the dictates of the spirit. Sometimes a great many preachers were moved to speak at once: sometimes a total silence prevailed in their congregations

Some quakers attempted to fast forty days in imitation of Christ, and one of them bravely perished in the experiment (Whitlocke, p 624) A female quaker came naked into the church where the protector sat, being moved by the Spirit, as she said, to appear 'as a sign' to the people. A number of them fancied that the renovation of all things had commenced, and that clothes were to be rejected together with other superfluities The sufferings, which followed the practice of this doctrine, were a species of persecution not well calculated for promoting it.

¹ The following story is told by Whitlocke (p 599) —Some quakers at Hasington, in Northumberland, coming to the minister on the Sabbath-day, and speaking to him, the people fell upon the quakers, and almost killed one or two of them, who, going out, fell on their knees and prayed God to pardon the people, who knew not what they did, and afterwards, speaking to the people, so convinced them of the evil they had done in beating them, that the country people fell a quarrelling, and beat one another more than they had before beaten the quakers

James Naylor was a quaker, noted for blasphemy, or rather madness, in the time of the protectorship. He fancied that he himself was transformed into Christ, and was become the real Saviour of the world, and in consequence of this frenzy, he endeavoured to imitate many actions of the Messiah related in the evangelists. As he bore a resemblance to the common pictures of Christ, he allowed his beard to grow in a like form. He raised a person from the dead¹ he was ministered unto by women (Harl Miscell vol vi. p 399) he entered Bristol, mounted on a horse. I suppose, from the difficulty in that place of finding an ass his disciples spread their garments before him, and cried, 'Hosanna to the highest, holy, holy is the Lord God of 'Sabbaoth'. When carried before the magistrate, he would give no other answer to all questions than 'thou hast said it'. What is remarkable, the parliament thought that the matter deserved their attention. Near ten days they spent in inquiries and debates about him (Thurloe, vol v p 708). They condemned him to be pilloried, whipped, burned in the face, and to have his tongue bored through with a red-hot iron. All these severities he bore with the usual patience. So far his delusion supported him. But the sequel spoiled all. He was sent to Bridewell, confined to hard labour, fed on bread and water, and debarred from all his disciples, male and female. His illusion dissipated, and after some time he was contented to come out an ordinary man, and return to his usual occupations.

The chief taxes in England, during the time of the commonwealth, were the monthly assessments, the excise, and the customs. The assessments were levied on personal estates as well as on land (Scobel, p 419), and commissioners were appointed in each county for rating the individuals. The highest assessment amounted to 120,000*l.* a month in England, the lowest was 35,000*l.* The assessments in Scotland were sometimes 10,000*l.* a month (Thurloe, vol ii. p. 476), commonly 6000*l.* Those on Ireland 9000*l.* At a medium, this tax might have afforded about a million a year. The excise, during the civil wars, was levied on bread, flesh-meat, as well as beer, ale, strong-waters, and many other commodities. After the king was subdued, bread and flesh-meat were exempted from excise. The customs on exportation were lowered in 1656 (Scobel, p 376). In 1650, commissioners were appointed to levy both customs and excise. Cromwell in 1657 returned to the old practice of farming. Eleven hundred thousand pounds were then offered, both for customs and excise, a greater sum than had ever been levied by the commissioners (Thurloe, vol vi. p 425). The whole of the taxes during that period might at a medium amount to above two millions a year, a sum which, though moderate, much exceeded the revenue of any former king.² Sequestrations, compositions, sale of crown and church lands, and of the lands of delinquents, yielded also considerable sums, but very difficult to be estimated. Church lands are said to have been sold for a million (Dr Walker, p 14). None of these were ever valued at above ten or eleven

¹ Harl Miscell vol vi p 399. One Dorcas Earberry made oath before a magistrate that he had been dead two days, and that Naylor had brought her to life.

² It appears that the king's revenue, from 1637 to the meeting of the long parliament, was only 900,000*l.*, of which 200,000*l.* may be esteemed illegal.

years' purchase (Thurloe, vol 1 p 753). The estates of delinquents amounted to above 200,000*l* a year (Thurloe, vol 11 p 414). Cromwell died more than 2,000,000*l* in debt (Thurloe, vol vii p 667); though the parliament had left him in the treasury above 500,000*l*, and in stores, the value of 700,000*l*. (World's Mistake in Oliver Cromwell)

The committee of danger in April, 1648, voted to raise the army to 40,000 men (Whitlocke, p 298). The same year, the pay of the army was estimated at 80,000*l* a month (Whitlocke, p 378). The establishment of the army, in 1652, was, in Scotland, 15,000 foot, 2580 horse, 560 dragoons, in England, 4700 foot, 2520 horse, garrisons, 6154. In all, 31,519, besides officers (Journ 2nd Dec 1652). The army in Scotland was afterwards considerably reduced. The army in Ireland was not much short of 20,000 men, so that upon the whole, the commonwealth maintained in 1652 a standing army of more than 50,000 men. Its pay amounted to a yearly sum of 1,047,715*l* (Journ 2nd Dec 1652). Afterwards the protector reduced the establishment to 30,000 men as appears by the Instrument of Government and Humble Petition and Advice. His frequent enterprises obliged him from time to time to augment them. Richard had on foot in England an army of 13,258 men, in Scotland 9506, in Ireland about 10,000 men (Journ 6th April, 1659). The foot soldiers had commonly a shilling a day (Thurloe, vol. 1. p 395; vol 11 p 414). The horse had two shillings and sixpence, so that many gentlemen and younger brothers of good family enlisted in the protector's cavalry (Gumble's Life of Monk). No wonder that such men were averse from the re-establishment of civil government, by which, they well knew, they must be deprived of so gainful a profession.

At the time of the battle of Worcester, the parliament had on foot about 80,000 men, partly militia, partly regular forces. The vigour of the commonwealth, and the great capacity of those members who had assumed the government, never at any time appeared so conspicuous (Whitlocke, p 477).

The whole revenue of the public, during the protectorship of Richard, was estimated at 1,868,717*l*; his annual expenses at 2,201,540*l*. An additional revenue was demanded from parliament (Journ. 7th April, 1659).

The commerce and industry of England increased extremely during the peaceable period of Charles's reign: the trade to the East Indies and to Guinea became considerable. The English possessed almost the sole trade with Spain. Twenty thousand cloths were annually sent to Turkey (Strafford's Letters, vol 1 pp 421, 423, 430, 467). Commerce met with interruption, no doubt, from the civil wars and convulsions which afterwards prevailed, though it soon recovered after the establishment of the commonwealth. The war with the Dutch, by distressing the commerce of so formidable a rival, served to encourage trade in England. The Spanish war was to an equal degree pernicious. All the effects of the English merchants, to an immense value, were confiscated in Spain. The prevalence of democratical principles engaged the country gentlemen to bind their sons apprentices to merchants (Clarendon), and commerce has ever since been more honour-

able in England than in any other European kingdom. The exclusive companies, which formerly confined trade, were never expressly abolished by any ordinance of parliament during the commonwealth, but as men paid no regard to the prerogative whence the quarters of these companies were derived, the monopoly was gradually invaded, and commerce increased by the increase of liberty. Interest in 1650 was reduced to 6 per cent.

The customs in England, before the civil wars, are said to have amounted to 500,000*l* a year (Lewis Robert's *Treasure of Traffick*) a sum ten times greater than during the best period in Queen Elizabeth's reign, but there is probably some exaggeration in this matter.

The post-house, in 1653, was farmed at 10,000*l* a year, which was deemed a considerable sum for the three kingdoms. Letters paid only about half the present postage.

From 1619 to 1638 there had been coined 6,900,042*l*. From 1638 to 1657 the coinage amounted to 7,733,521*l*. (Happy future State of England). Dr Davenant has told us, from the registers of the Mint, that between 1558 and 1659 there had been coined 19,832,476*l* in gold and in silver.

The first mention of tea, coffee, and chocolate is about 1660 (Anderson, vol. II. p. 111). Asparagus, artichokes, cauliflower, and a variety of salads, were about the same time introduced into England (Anderson, vol. II. p. 111).

The colony of New England, increased by means of the puritans, who fled thither in order to free themselves from the constraint which Laud and the church party had imposed upon them, and, before the commencement of the civil wars, it is supposed to have contained 25,000 souls (British Empire in America, vol. I. p. 372). For a like reason the Catholics afterwards, who found themselves exposed to many hardships, and dreaded still worse treatment, went over to America in great numbers, and settled the colony of Maryland.

Before the civil wars, learning and the fine arts were favoured at court, and a good taste began to prevail in the nation. The king loved pictures, sometimes handled the pencil himself, and was a good judge of the art. The pieces of foreign masters were bought up at a vast price; and the value of pictures doubled in Europe by the emulation between Charles and Philip IV of Spain, who were touched with the same elegant passion. Vandyke was caressed and enriched at court. Inigo Jones was master of the king's buildings, though afterwards persecuted by the parliament, on account of the part which he had in rebuilding St. Paul's, and for obeying some orders of council, by which he was directed to pull down houses, in order to make room for that edifice. Laws, who had not been surpassed by any musician before him, was much beloved by the king, who called him the father of music. Charles was a good judge of writing, and was thought by some more anxious with regard to purity of style than became a monarch (Burnet). Notwithstanding his narrow revenue, and his freedom from all vanity, he lived in such magnificence, that he possessed four-and-twenty palaces, all of them elegantly and completely furnished, inasmuch that, when he removed from one to another, he was not obliged to transport anything along with him.

Cromwell, though himself a barbarian, was not insensible to literary merit. Usher, notwithstanding his being a bishop, received a pension from him. Marvel and Milton were in his service. Waller, who was his relation, was caressed by him. The poet always said, that the protector himself was not so wholly illiterate as was commonly imagined. He gave a hundred pounds a year to the divinity professor at Oxford, and an historian mentions this bounty as an instance of his love of literature (Neale's Hist. of the Puritans, vol. iv. p. 123). He intended to have erected a college at Durham for the benefit of the northern counties.

Civil wars, especially when founded on principles of liberty, are not commonly unfavourable to the arts of eloquence and composition, or rather, by presenting nobler and more interesting objects, they amply compensate that tranquillity of which they deprive the muses. The speeches of the parliamentary orators during this period are of a strain much superior to what any former age had produced in England, and the force and compass of our tongue were then first put to trial. It must, however, be confessed, that the wretched fanaticism, which so much infected the parliamentary party, was no less destructive of taste and science, than of all law and order. Gaiety and wit were proscribed, human learning despised, freedom of inquiry detested, cant and hypocrisy alone encouraged. It was an article positively insisted on in the preliminaries to the treaty of Uxbridge, that all play-houses should for ever be abolished. Sir John Davenant, says Whitlocke (p. 639), speaking of the year 1658, published an opera, notwithstanding the nicety of the times. All the king's furniture was put to sale. his pictures, disposed of at very low prices, enriched all the collections in Europe. the cartoons, when complete, were only appraised at 300*l*., though the whole collection of the king's curiosities was sold at above 50,000*l*. (Pail Hist., vol. xix. p. 83). Even the royal palaces were pulled in pieces, and the materials of them sold. The very library and medals at St James's were intended by the generals to be brought to auction, in order to pay the arrears of some regiments of cavalry quartered near London, but Selden, apprehensive of the loss, engaged his friend Whitlocke, then Lord-Keeper of the Commonwealth, to apply for the office of librarian. This expedient saved that valuable collection.

It is, however, remarkable, that the greatest genius by far that shone out in England at this period was deeply engaged with these fanatics, and even prostituted his pen in theological controversy, in factious disputes, and in justifying the most violent measures of the party. This was John Milton, whose poems are admirable, though liable to some objections, his prose writings disagreeable, though not altogether defective in genius. Nor are all his poems equal. His 'Paradise Lost,' his 'Comus,' and a few others shine out amidst some flat and insipid compositions. Even in the 'Paradise Lost,' his capital performance, there are very long passages, amounting to nearly a third of the work, almost wholly destitute of harmony and elegance, nay, of all vigour of imagination. This natural inequality in Milton's genius was much increased by the inequalities in his subject, of which some parts are of themselves the most lofty that

enter into human conception, others would have required the most laboured elegance of composition to support them. It is certain that this author, when in a happy mood, and employed on a noble subject, is the most wonderfully sublime of any poet in any language, Homer, and Lucretius, and Tasso not excepted. More concise than Homer, more simple than Tasso, more nervous than Lucretius. Had he lived in a later age, and learned to polish some rudeness in his verses; had he enjoyed better fortune, and possessed leisure to watch the returns of genius in himself, he had attained the pinnacle of perfection, and borne away the palm of epic poetry.

It is well known that Milton never enjoyed in his lifetime the reputation which he deserved. His 'Paradise Lost' was long neglected. Prejudices against an apologist for the regicides, and against a work not wholly purged from the cant of former times, kept the ignorant world from perceiving the prodigious merit of that performance. Lord Somers, by encouraging a good edition of it about twenty years after the author's death, first brought it into request, and Tonson, in his dedication of a similar edition, speaks of it as a work just beginning to be known. Even during the prevalence of Milton's party, he seems never to have been much regarded, and Whitlocke (p. 633) talks of one Milton, as he calls him, a blind man, who was employed in translating a treaty with Sweden into Latin. These forms of expression are amusing to posterity, who consider how obscure Whitlocke himself, though lord-keeper and ambassador, and, indeed, a man of great abilities and merit, has become in comparison of John Milton.

It is not strange that Milton received no encouragement after the restoration, it is more to be admired that he escaped with his life. Many of the cavaliers blamed extremely that lenity towards him which was so honourable in the king, and so advantageous to posterity. It is said that he had saved Davenant's life during the protectorship, and Davenant in return afforded him like protection after the restoration, being sensible that men of letters ought always to regard their sympathy of taste as a more powerful band of union than any difference of party or opinion as a source of animosity. It was during a state of poverty, blindness, disgrace, danger, and old age that Milton composed his wonderful poem, which not only surpassed all the performances of his contemporaries, but all the compositions which had flowed from his pen during the vigour of his age, and the height of his prosperity. This circumstance is not the least remarkable of all those which attend that great genius. He died in 1674, aged 66.

Waller was the first refiner of English poetry, at least of English rhyme, but his performances still abound with many faults, and, what is more material, they contain but feeble and superficial beauties. Gaiety, wit, and ingenuity are their ruling characters: they aspire not to the sublime, still less to the pathetic. They treat of love, without making us feel any tenderness, and abound in panegyric, without exciting admiration. The panegyric, however, on Oliver Cromwell contains more force than we should expect from the other compositions of this poet. •

Waller was born to an ample fortune, was early introduced to the court, and lived in the best company. He possessed talents for eloquence as well as poetry, and till his death, which happened in a good old age, he was the delight of the house of commons. The errors of his life proceeded more from want of courage, than of honour or integrity. He died in 1687, aged 82.

Cowley is an author extremely corrupted by the bad taste of his age, but, had he lived even in the purest times of Greece or Rome, he must always have been a very indifferent poet. He had no ear for harmony, and his verses are only known to be such by the rhyme, which terminates them. In his rugged untuneable numbers are conveyed sentiments the most strained and distorted, long-spun allegories, distant allusions, and forced conceits. Great ingenuity, however, and vigour of thought sometimes break out amidst those unnatural conceptions. A few anacreontics surprise us by their ease and gaiety. His prose writings please, by the honesty and goodness which they express, and even by their spleen and melancholy. This author was much more praised and admired during his lifetime, and celebrated after his death, than the great Milton. He died in 1667, aged 49.

Sir John Denham, in his *Cooper's Hill* (for none of his other poems merit attention), has a loftiness and vigour, which had not before him been attained by any English poet who wrote in rhyme. The mechanical difficulties of that measure retarded its improvement. Shakespeare, whose tragic scenes are sometimes so wonderfully forcible and expressive, is a very indifferent poet when he attempts to rhyme. Precision and neatness are chiefly wanting in Denham. He died in 1688, aged 73.

No English author in that age was more celebrated, both abroad and at home, than Hobbes. In our time, he is much neglected. A lively instance, how precarious are all reputations founded on reasoning and philosophy! A pleasant comedy, which paints the manners of the age, and exposes a faithful picture of nature, is a durable work, and is transmitted to the latest posterity. But a system, whether physical or metaphysical, commonly owes its success to its novelty, and is no sooner canvassed with impartiality than its weakness is discovered. Hobbes's politics are fitted only to promote tyranny, and his ethics to encourage licentiousness. Though an enemy to religion, he partakes nothing of the spirit of scepticism, but is as positive and dogmatical as if human reason, and his reason in particular, could attain a thorough conviction in these subjects. Cleanliness and propriety of style are the chief excellencies of Hobbes's writings. In his own person he is represented to have been a man of virtue, a character nowise surprising, notwithstanding his libertine system of ethics. Timidity is the principal fault with which he is reproached. He lived to an extreme old age, yet could never reconcile himself to the thoughts of death. The boldness of his opinions and sentiments form a remarkable contrast to this part of his character. He died in 1679, aged 91.

Harington's *Oceana* was well adapted to that age, when the plans of imaginary republics were the daily subjects of debate and conversation, and even in our time, it is justly admired as a work of genius.

and invention. The idea, however, of a perfect and immortal commonwealth will always be found as chimerical as that of a perfect and immortal man. The style of this author wants ease and fluency, but the good matter, which his work contains, makes compensation. He died in 1677, aged 66.

Harvey is entitled to the glory of having made, by reasoning alone, without any mixture of accident, a capital discovery in one of the most important branches of science. He had also the happiness of establishing at once his theory on the most solid and convincing proofs, and posterity has added little to the arguments suggested by his industry and ingenuity. His treatise of the circulation of the blood is farther embellished by that warmth and spirit which so naturally accompany the genius of invention. This great man was much favoured by Charles I. who gave him the liberty of using all the deer in the royal forests for perfecting his discoveries on the generation of animals. It was remarked, that no physician in Europe, who had reached forty years of age, ever, to the end of his life, adopted Harvey's doctrine of the circulation of the blood, and that his practice in London diminished extremely, from the reproach drawn upon him by that great and signal discovery. So slow is the progress of truth in every science, even when not opposed by factious or superstitious prejudices! He died in 1657, aged 79.

This age affords great materials for history, but did not produce any accomplished historian. Clarendon, however, will always be esteemed an entertaining writer, even independent of our curiosity to know the facts which he relates. His style is prolix and redundant, and suffocates us by the length of its periods; but it discovers imagination and sentiment, and pleases us at the same time that we disapprove of it. He is more partial in appearance than in reality; for he seems perpetually anxious to apologise for the king, but his apologies are often well grounded. He is less partial in his relation of facts, than in his account of characters: he was too honest a man to falsify the former, his affections were easily capable, unknown to himself, of disguising the latter. An air of probity and goodness runs through the whole work; as these qualities did in reality embellish the whole life of the author. He died in 1674, aged 66.

These are the chief performances which engage the attention of posterity. Those numberless productions, with which the press then abounded, the cant of the pulpit, the declamations of party, the subtleties of theology, all these have long ago sunk in silence and oblivion. Even a writer, such as Selden, whose learning was his chief excellency; or Chillingworth, an acute disputant against the papists, will scarcely be ranked among the classics of our language or country.

CHAPTER LXIII.

CHARLES II

New ministry—Act of indemnity—Settlement of the revenue—Trial and execution of the regicides—Dissolution of the convention—Parliament—Prelacy restored—Insurrection of the Millenarians—Affairs of Scotland—Conference at the Savoy—Arguments for and against a comprehension—A new parliament—Bishops' seats restored—Corporation act—Act of uniformity—King's marriage—Trial of Vane—and execution—Presbyterian clergy ejected—Dunkirk sold to the French—Declaration of indulgence—Decline of Clarendon's credit.

CHARLES II, when (1660) he ascended the throne of his ancestors, was thirty years of age. He possessed a vigorous constitution, a fine shape, a manly figure, a graceful air, and though his features were harsh, yet was his countenance in the main lively and engaging. He was in that period of life, when there remains enough of youth to render the person amiable, without preventing that authority and regard which attend the years of experience and maturity. Tenderness was excited by the memory of his recent adversities. His present prosperity was the object rather of admiration than of envy; and as the sudden and surprising revolution, which restored him to his regal rights, had also restored the nation to peace, law, order, and liberty, no prince ever obtained a crown in more favourable circumstances, or was more blest with the cordial affection and attachment of his subjects.

This popularity the king, by his whole demeanor and behaviour, was well qualified to support and to increase. To a lively wit and quick comprehension, he united a just understanding, and a general observation both of men and things. The easiest manners, the most unaffected politeness, the most engaging gaiety, accompanied his conversation and address. Accustomed during his exile to live among his courtiers rather like a companion than a monarch, he retained, even while on the throne, that open affability which was capable of reconciling the most determined republicans to his royal dignity. Totally devoid of resentment, as well from the natural lenity, as carelessness of his temper, he insured pardon to the most guilty of his enemies, and left hopes of favour to his most violent opponents. From the whole tenour of his actions and discourse, he seemed desirous of losing the memory of past animosities, and of uniting every party in an affection for their prince and their native country.

Into his council were admitted the most eminent men of the nation, without regard to former distinctions. The presbyterians, equally with the royalists, shared this honour. Annesley was also created Earl of Anglesey, Ashley Cooper, Lord Ashley, Denzil Hollis, Lord Hollis. The Earl of Manchester was appointed lord chamberlain, and Lord Saye, privy seal. Calamy and Baxter, presbyterian clergymen, were even made chaplains to the king.

Admual Montague, created Earl of Sandwich, was entitled, from his recent services, to great favour, and he obtained it. Monk, created Duke of Albemarle, had performed such signal services, that, according to a vulgar and malignant observation, he ought rather to have expected hatred and ingratitude, yet was he ever treated by the king with great marks of distinction. Charles's disposition, free from jealousy, and the prudent behaviour of the general, who never over-rated his merits, prevented all those disgusts which naturally arise in so delicate a situation. The capacity too of Albemarle was not extensive, and his parts were more solid than shining. Though he had distinguished himself in inferior stations, he was imagined, upon familiar acquaintance, not to be wholly equal to those great achievements which fortune, united to prudence, had enabled him to perform, and he appeared unfit for the court, a scene of life to which he had never been accustomed. Morrice, his friend, was created secretary of state, and was supported more by his patron's credit than by his own abilities or experience.

But the choice which the king at first made of his principal ministers and favourites, was the circumstance which chiefly gave contentment to the nation, and prognosticated future happiness and tranquillity. Sir Edward Hyde, created Earl of Clarendon, was chancellor and prime minister, the marquis, created Duke of Ormond, was steward of the household, the Earl of Southampton, high treasurer, Sir Edward Nicholas, secretary of state. These men, united together in friendship, and combining in the same laudable inclinations, supported each others' credit, and pursued the interests of the public.

Agreeable to the present prosperity of public affairs was the universal joy and festivity diffused throughout the nation. The melancholy austerity of the fanatics fell into discredit, together with their principles. The royalists, who had ever affected a contrary disposition, found in their recent success new motives for mirth and gaiety, and it now belonged to them to give repute and fashion to their manners. From past experience it had sufficiently appeared that gravity was very distinct from wisdom, formality from virtue, and hypocrisy from religion. The king himself, who bore a strong propensity to pleasure, served, by his powerful and engaging example, to banish those sour and malignant humours, which had hitherto engendered such confusion. And though the just bounds were undoubtedly passed, when men returned from their former extreme, yet was the public happy in exchanging vices, pernicious to society, for disorders, hurtful chiefly to the individuals themselves who were guilty of them.

It required some time before the several parts of the state, disfigured by war and faction, could recover their former arrangement, but the parliament immediately fell into good correspondence with the king, and they treated him with the same dutiful regard which had usually been paid to his predecessors. Being summoned without the king's consent, they received at first only the title of a convention, and it was not till he passed an act for that purpose, that they were called by the appellation of parliament. All judicial proceedings, transacted in the name of the commonwealth or protector, were ratified by a new law. And both houses, acknowledging the guilt of the former rebellion,

gratefully received, in their own name, and in that of all the subjects, his majesty's gracious pardon and indemnity

The king, before his restoration, being afraid of reducing any of his enemies to despair, and at the same time unwilling that such enormous crimes as had been committed, should receive a total impunity, had expressed himself very cautiously in his declaration of Breda, and had promised an indemnity to all criminals but such as should be excepted by parliament. He now issued a proclamation, declaring that such of the late king's judges as did not yield themselves prisoners within fourteen days should receive no pardon. Nineteen surrendered themselves. Some were taken in their flight, and others escaped beyond sea.

The commons seem to have been more inclined to lenity than the lords. The upper house, inflamed by the ill-usage which they had received, were resolved, besides the late king's judges, to except every one who had sitten in any high court of justice. Nay, the Earl of Bristol moved that no pardon might be granted to those who had any wise contributed to the king's death. So wide an exception, in which every one who had served the parliament might be comprehended, gave a general alarm, and men began to apprehend that this motion was the effect of some court artifice or intrigue. But the king soon dissipated these fears. He came to the house of peers, and, in the most earnest terms, passed the act of general indemnity. He urged both the necessity of the thing, and the obligation of his former promise, a promise, he said, which he would ever regard as sacred, since to it he probably owed the satisfaction, which at present he enjoyed, of meeting his people in parliament. This measure of the king's was received with great applause and satisfaction.

After repeated solicitations the act of indemnity passed both houses, and soon received the royal assent. Those who had an immediate hand in the late king's death were there excepted. Even Cromwell, Irlton, Bradshaw, and others now dead, were attainted, and their estates forfeited. Vane and Lambert, though none of the regicides, were also excepted. St John and seventeen persons more were deprived of all benefit from this act, if they ever accepted any public employment. All who had sitten in any illegal high court of justice were disabled from bearing offices. These were all the severities which followed such furious civil wars and convulsions.

The next business was the settlement of the king's revenue. In this work the parliament had regard to public freedom, as well as to the support of the crown. The tenures of waids and liveries had long been regarded as a grievous burthen by the nobility and gentry; several attempts had been made during the reign of James to purchase this prerogative, together with that of purveyance, and 200,000*l*. a year had been offered that prince in lieu of them. Wardships and purveyance had been utterly abolished by the republican parliament, and even in the present parliament, before the king arrived in England, a bill had been introduced, offering him a compensation for the emolument of these prerogatives. A 100,000*l*. a year was the sum agreed to, and half of the excise was settled in perpetuity upon the crown as the fund whence this revenue should be levied. Though that impost

yielded more profit, the bargain might be esteemed hard, and it was chiefly the necessity of the king's situation, which induced him to consent to it. No request of the parliament during the present joy could be refused them.

Tonnage and poundage, and the other half of the excise, were granted to the king during life. The parliament even proceeded so far as to vote that the settled revenue of the crown for all charges should be 200,000*l* a year, a sum greater than any English monarch had ever before enjoyed. But as all the princes of Europe were perpetually augmenting their military force, and consequently their expense, it became requisite that England, from motives both of honour and security, should bear some proportion to them, and adapt its revenue to the new system of politics which prevailed. According to the chancellor's computation, a charge of 800,000*l* a year was at present requisite for the fleet and other articles, which formerly cost the crown but 80,000*l*.

Had the parliament, before restoring the king, insisted on any farther limitations than those which the constitution already imposed, besides the danger of reviving former quarrels among parties, it would seem that their precaution had been entirely superfluous. By reason of its slender and precarious revenue, the crown in effect was still totally dependant. Not a fourth part of this sum, which seemed requisite for public expenses, could be levied without consent of parliament, and any concessions, had they been thought necessary, might even after the restoration be extorted by the commons from their necessitous prince. This parliament showed no intention of employing at present that engine to any such purposes, but they seemed still determined not to part with it entirely, or to render the revenues of the crown fixed and independent. Though they voted in general that 1,200,000*l* a year should be settled on the king, they scarcely assigned any funds which could yield two-thirds of that sum. And they left the care of fulfilling their engagements to the future consideration of parliament.

In all the temporary supplies which they voted, they discovered the same cautious frugality. To disband the army, so formidable in itself, and so much accustomed to rebellion and changes of government, was necessary for the security both of king and parliament, yet the commons showed great jealousy in granting the sums requisite for that end. An assessment of 70,000*l* a month was imposed, but it was at first voted to continue only three months; and all the other sums, which they levied for that purpose, by a poll-bill and new assessments, were still granted by parcels, as if they were not, as yet, well assured of the fidelity of the hand to which the money was entrusted. Having proceeded so far in the settlement of the nation, the parliament (Sept. 13) adjourned itself for some time.

During the recess of parliament, the object which chiefly interested the public was the trial and condemnation of the regicides. The general indignation attending the enormous crime of which these men had been guilty, made their sufferings the subject of joy to the people. but in the peculiar circumstances of that action, in the prejudices of the times, as well as in the behaviour of the criminals, a mind seasoned

with humanity, will find a plentiful source of compassion and indulgence. Can any one, without concern for human blindness and ignorance, consider the demeanor of General Harrison, who was first brought to his trial? With great courage and elevation of sentiment he told the court that the pretended crime, of which he stood accused, was not a deed performed in a corner the sound of it had gone forth to most nations, and in the singular and marvellous conduct of it had chiefly appeared the sovereign power of heaven. That he himself, agitated by doubts, had often, with passionate tears, offered up his addresses to the divine Majesty, and earnestly sought for light and conviction. He had still received assurance of a heavenly sanction, and returned from these devout supplications with more serene tranquillity and satisfaction. That all the nations of the earth were, in the eyes of their Creator, less than a drop of water in the bucket, nor were their erroneous judgments aught but darkness compared with divine illuminations. That these frequent illapses of the Divine Spirit he could not suspect to be interested illusions, since he was conscious that, for no temporal advantage, would he offer injury to the poorest man or woman that trod upon the earth. That all the allurements of ambition, all the terrors of imprisonment, had not been able, during the usurpation of Cromwell, to shake his steady resolution, or bend him to a compliance with that deceitful tyrant. And that when invited by him to sit on the right hand of the throne, when offered riches and splendor and dominion, he had disdainfully rejected all temptations, and, neglecting the tears of his friends and family, had still, through every danger, held fast to his principles and his integrity.

Scott, who was more a republican than a fanatic, had said in the house of commons, a little before the restoration, that he desired no other epitaph to be inscribed on his tomb-stone than this 'Here lies Thomas Scott, who adjudged the king to death' He supported the same spirit upon his trial.

Carew, a Millenarian, submitted to his trial, 'Saving to our Lord Jesus Christ his right to the government of these kingdoms' Some scrupled to say, according to form, that they would be tried by God and their country, because God was not visibly present to judge them. Others said, that they would be tried by the word of God.

No more than six of the late king's judges, Harrison, Scott, Carew, Clement, Jones, and Scrope, were executed. Scrope alone, of all those who came in upon the king's proclamation. He was a gentleman of good family and of a decent character but it was proved, that he had a little before, in conversation, expressed himself as if he were no wise convinced of any guilt in condemning the king. Axtel, who had guarded the high court of justice, Hacker, who commanded on the day of the king's execution, Coke, the solicitor for the people of England, and Hugh Peters, the fanatical preacher, who inflamed the army and impelled them to regicide all these were tried, and condemned, and suffered with the king's judges. No saint or confessor ever went to martyrdom with more assured confidence of heaven than was expressed by those criminals, even when the terrors of immediate death, joined to many indignities, were set before them. The rest of the king's

512 *Death of the Duke of Gloucester. Penury of the crown.*

judges, by an unexampled lenity, were relieved, and they were dispersed into several prisons.

This punishment of declared enemies interrupted not the rejoicings of the court but (Sept 13) the death of the Duke of Gloucester, a young prince of promising hopes, threw a great cloud upon them. The king, by no incident in his life, was ever so deeply affected. Gloucester was observed to possess united the good qualities of both his brothers. the clear judgment and penetration of the king, the industry and application of the Duke of York, he was also believed to be affectionate to the religion and constitution of his country. He was but twenty years of age, when the small-pox put an end to his life.

The Princess of Orange, having come to England, in order to partake of the joy attending the restoration of her family, with whom she lived in great friendship, soon after sickened and died. The queen-mother paid a visit to her son, and obtained his consent to the marriage of the Princess Henrietta, with the Duke of Orleans, brother to the French king.

After a recess of near two months, the parliament (Nov 6) met, and proceeded in the great work of the national settlement. They established the post-office, wine licences, and some articles of the revenue. They granted more assessments, and some arrears, for paying and disbanding the army. Business being carried on with great unanimity, was soon dispatched and after they had sitten near two months, the king, in a speech full of the most gracious expressions, thought proper (Dec. 29) to dissolve them.

This house of commons had been chosen during the reign of the old parliamentary party, and though many royalists had crept in amongst them, yet did it chiefly consist of presbyterians, who had not yet entirely laid aside their old jealousies and principles. Lenthall, a member, having said, that those who first took arms against the king, were as guilty as those who afterwards brought him to the scaffold, was severely reprimanded by order of the house, and the most violent efforts of the long parliament, to secure the constitution, and bring delinquents to justice, were in effect vindicated and applauded (Journals, vol viii p. 24). The claim of the two houses to the militia, the first ground of the quarrel, however exorbitant an usurpation, was never expressly resigned by this parliament. They made all grants of money with a very sparing hand. Great arrears being due by the protector to the fleet, the army, the navy-office, and every branch of service, this whole debt they threw upon the crown, without establishing funds sufficient for its payment. Yet notwithstanding this jealous care, expressed by the parliament, there prevails a story, that Popham, having sounded the disposition of the members, undertook to the Earl of Southampton to procure, during the king's life, a grant of 2,000,000*l.* a year, land tax; a sum, which added to the customs and excise, would for ever have rendered this prince independent of his people. Southampton, it is said, merely from his affection to the king, had unwarily embraced the offer, and it was not till he communicated the matter to the chancellor, that he was made sensible of its pernicious tendency. It is not improbable, that such an offer might have been made, and been hearkened to, but it is no wise probable, that all the interest of

the court would ever, with this house of commons, have been able to make it effectual. Clarendon showed his prudence, no less than his integrity, in entirely rejecting it.

The chancellor, from the same principles of conduct, hastened to disband the army. When the king reviewed these veteran troops, he was struck with their beauty, order, discipline, and martial appearance, and being sensible, that regular forces are most necessary implements of loyalty, he expressed a desire of finding expedients still to retain them. But his wise minister set before him the dangerous spirit by which these troops were actuated, their enthusiastic genius, their habits of rebellion and mutiny, and he convinced the king, that, till they were disbanded, he never could esteem himself securely established on his throne. No more troops were retained than a few guards and garrisons, about 1,000 horse and 4,000 foot. This was the first appearance, under the monarchy, of a regular standing army in this island. Lord Mordaunt said, that the king, being possessed of that force, might now look upon himself as the most considerable gentleman in England.¹ The fortifications of Gloucester, Taunton, and other towns, which had made resistance to the king during the civil wars, were demolished.

Clarendon not only behaved with wisdom and justice in the office of Chancellor: all the counsels, which he gave the king, tended equally to promote the interest of prince and people. Charles, accustomed in his exile to pay entire deference to the judgment of this faithful servant, continued still to submit to his direction, and for some time no minister was ever possessed of more absolute authority. He moderated the forward zeal of the royalists, and tempered their appetite for revenge. With the opposite party, he endeavoured to preserve inviolate all the king's engagements: he kept an exact register of the promises which had been made for any service, and he employed all his industry to fulfil them. This good minister was now nearly allied to the royal family. His daughter, Ann Hyde, a woman of spirit and fine accomplishments, had hearkened, while abroad, to the addresses of the Duke of York, and, under promise of marriage, had secretly admitted him to her bed. Her pregnancy appeared soon after the restoration, and though many endeavoured to dissuade the king from consenting to so unequal an alliance, Charles, in pity to his friend and minister, who had been ignorant of these engagements, permitted his brother to marry her (K. James's Mem.). Clarendon expressed great uneasiness at the honour which he had obtained, and said, that, by being elevated so much above his rank, he thence died a more sudden downfall.

Most circumstances of Clarendon's administration have met with applause. His maxims alone in the conduct of ecclesiastical politics have by many been deemed the effect of prejudices, narrow and bigoted. Had the jealousy of royal power prevailed so far with the convention parliament as to make them restore the king with strict limitations, there is no question but the establishment of presbyterian discipline had been one of the conditions most rigidly insisted on.

¹ James's Mem. This prince says, that Venner's insurrection furnished a reason or pretence for keeping up the guards, which were intended at first to have been disbanded with the rest of the army.

Not only that form of ecclesiastical government is more favourable to liberty than to royal power, it was, likewise, on its own account, agreeable to the majority of the house of commons, and suited their religious principles. But as the impatience of the people, the danger of delay, the general disgust towards faction, and the authority of Monk, had prevailed over that jealous project of limitations, the full settlement of the hierarchy, together with the monarchy, was a necessary and infallible consequence. All the royalists were zealous for that mode of religion, the merits of the episcopal clergy towards the king, as well as their sufferings on that account, had been great; the laws which established bishops and the liturgy were as yet unrepealed by legal authority, and any attempt, by new acts, to give the superiority to presbyterianism had been sufficient to involve the nation again in blood and confusion. Moved by these views, the commons had wisely postponed the examination of all religious controversy, and had left the settlement of the church to the king and to the ancient laws.

The king at first used great moderation in the execution of the laws. Nine bishops still remained alive, and these were immediately restored to their sees, all the ejected clergy recovered their livings, the liturgy, a form of worship decent and not without beauty, was again admitted into the churches, but, at the same time, a declaration was issued, in order to give contentment to the presbyterians, and preserve an air of moderation and neutrality (Pail Hist vol xxi p 173). In this declaration the king promised that he would provide sufficient bishops for the larger dioceses, that the prelates should, all of them, be regular and constant preachers, that they should not confer ordination, or exercise any jurisdiction, without the advice and assistance of presbyters chosen by the diocese, that such alterations should be made in the liturgy as would render it totally unexceptionable, that, in the mean time, the use of that mode of worship should not be imposed on such as were unwilling to receive it; and that the surplice, the cross in baptism, and bowing at the name of Jesus, should not be rigidly insisted on. This declaration was issued by the king as head of the church, and he plainly assumed, in many parts of it, a legislative authority in ecclesiastical matters. But the English government, though more exactly defined by late contests, was not as yet reduced, in every particular, to the strict limits of law. And, if ever prerogative was justifiably employed, it seemed to be on the present occasion, when all parts of the state were torn with past convulsions, and required the moderating hand of the chief magistrate to reduce them to their ancient order.

But though these appearances of neutrality were maintained, and a mitigated episcopacy only seemed to be insisted on, it was far from the intention of the ministry always to preserve like regard to the presbyterians. The madness of the fifth-monarchy-men afforded them a pretence for departing from it. Venner, a desperate enthusiast, who had often conspired against Cromwell, having, by his zealous lectures, inflamed his own imagination and that of his followers, issued forth at their head into the streets of London. They were to the number of sixty, completely armed, believed themselves invulnerable and invin-

cible, and firmly expected the same success which had attended Gideon and other heroes of the Old Testament. Every one at first fled before them. One unhappy man, who, being questioned, said, 'He was for God and king Charles,' was instantly murdered by them. They went triumphantly from street to street, everywhere proclaiming king Jesus, who, they said, was their invisible leader. At length the magistrates, having assembled some train-bands, made an attack upon them. They defended themselves with order as well as valour, and, after killing many of the assailants, they made a regular retreat into Caen Wood, near Hampstead. Next morning they were chased thence by a detachment of the guards, but they ventured again to invade the city, which was not prepared to receive them. After committing great disorder, and traversing almost every street of that immense capital, they retired into a house, which they were resolute to defend to the last extremity. Being surrounded, and the house untiled, they were fired upon from every side, and they still refused quarter. The people rushed in upon them and seized the few who were alive. They were tried, condemned, and executed, and to the last they persisted in affirming, that if they were deceived, it was the Lord that had deceived them.

Clarendon and the ministry took occasion, from this insurrection, to infer the dangerous spirit of the presbyterians and of all the sectaries, but the madness of the attempt sufficiently proved that it had been undertaken by no concert, and never could have proved dangerous. The well-known hatred, too, which prevailed between the presbyterians and the other sects should have removed the former from all suspicion of any concurrence in the enterprize. But as a pretence was wanted, besides their old demerits, for justifying the intended rigours against all of them, this reason, however slight, was greedily laid hold of.

Affairs in Scotland hastened with still quicker steps than those in England towards a settlement and a compliance with the king. It was deliberated in the English council whether that nation should be restored to its liberty, or whether the forts erected by Cromwell should not still be upheld, in order to curb the mutinous spirit by which the Scots in all ages had been so much governed. Lauderdale, who, from the battle of Worcester to the restoration, had been detained prisoner in the Tower, had considerable influence with the king, and he strenuously opposed this violent measure. He represented that it was the loyalty of the Scottish nation which had engaged them in an opposition to the English rebels, and to take advantage of the calamities into which, on that account, they had fallen would be regarded as the highest injustice and ingratitude; that the spirit of that people was now fully subdued by the servitude under which the usurpers had so long held them, and would of itself yield to any reasonable compliance with their legal sovereign, if, by this means, they recovered their liberty and independence, that the attachment of the Scots towards their king, whom they regarded as their native prince, was naturally much stronger than that of the English, and would afford him a sure resource in case of any rebellion among the latter, that republican principles had long been, and still were, very prevalent with his southern subjects, and might again menace the throne with new

tumults and resistance ; that the time would probably come when the king, instead of desiring to see English garrisons in Scotland, would be better pleased to have Scottish garrisons in England, who, supported by English pay, would be fond to curb the seditious genius of that opulent nation, and that a people, such as the Scots, governed by a few nobility, would more easily be reduced to submission under monarchy than one like the English, who breathed nothing but the spirit of democratical equality.

These views induced the king to disband (Jan 1, 1661) all the forces in Scotland, and to raze all the forts which had been erected. General Middleton, created earl of that name, was sent commissioner to the parliament, which was summoned. A very compliant spirit was there discovered in all orders of men. The commissioner had even sufficient influence to obtain an act, annulling, at once, all laws which had passed since the year 1633, on pretext of the violence which, during that time, had been employed against the king and his father, in order to procure their assent to these statutes. This was a very large, if not an unexampled concession, and, together with many dangerous limitations, overthrew some useful barriers which had been erected to the constitution. But the tide was now running strongly towards monarchy, and the Scottish nation plainly discovered, that their past resistance had proceeded more from the turbulence of their aristocracy, and the bigotry of their ecclesiastics, than from any fixed passion towards civil liberty. The lords of articles were restored, with some other branches of prerogative, and royal authority, fortified with more plausible claims and pretences, was, in its full extent, re-established in that kingdom.

The prelacy likewise, by the abrogating of every statute enacted in favour of presbytery, was thereby tacitly restored, and the king deliberated what use he should make of this concession. Lauderdale, who at bottom was a passionate zealot against episcopacy, endeavoured to persuade him, that the Scots, if gratified in this favourite point of ecclesiastical government, would, in every other demand, be entirely compliant with the king. Charles, though he had no such attachment to prelacy as had influenced his father and grandfather, had suffered such indignities from the Scottish presbyterians, that he ever after bore them a hearty aversion. He said to Lauderdale that presbyterianism, he thought, ' was not a religion for a gentleman, ' and he could not consent to its further continuance in Scotland. Middleton too and his other ministers persuaded him, that the nation in general was so disgusted with the violence and tyranny of the ecclesiastics, that any alteration of church government would be universally grateful. And Clarendon, as well as Ormond, dreading that the presbyterian sect, if legally established in Scotland, would acquire authority in England and Ireland, seconded the application of these ministers. The resolution was therefore taken to restore prelacy; a measure afterwards attended with many and great inconveniences. but whether in this resolution Charles chose not the lesser evil, it is very difficult to determine. Sharp, who had been commissioned by the presbyterians in Scotland to manage their interests with the king, was persuaded to abandon that party, and, as a reward for his com-

pliance, was created archbishop of St Andrews. The conduct of ecclesiastical affairs was chiefly entrusted to him, and as he was esteemed a traitor and a renegade by his old friends, he became on that account, as well as from the violence of his conduct, extremely obnoxious to them.

Charles had not promised to Scotland any such indemnity as he had ensured to England by the declaration of Breda, and it was deemed better policy for him to hold over men's heads, for some time, the terror of punishment, till they should have made the requisite compliances with the new government. Though neither the king's temper nor plan of administration led him to severity, some examples, after such a bloody and triumphant rebellion, seemed necessary; and the marquis of Argyle, and one Guthrie, were pitched on as the victims. Two acts of indemnity, one passed by the late king in 1641, another by the present in 1651, formed, it was thought, invincible obstacles to the punishment of Argyle, and barred all inquiry into that part of his conduct which might justly be regarded as the most exceptionable. Nothing remained but to try him for his compliance with the usurpation, a crime common to him with the whole nation, and such a one as the most loyal and affectionate subject might frequently by violence be obliged to commit. To make this compliance appear the more voluntary and hearty, there were produced in court, letters which he had written to Albemarle, while that general commanded in Scotland, and which contained expressions of the most cordial attachment to the established government. But besides the general indignation excited by Albemarle's discovery of his private correspondence, men thought, that even the highest demonstrations of affection might, during jealous times, be exacted as a necessary mark of compliance from a person of such distinction as Argyle, and could not, by any equitable construction, imply the crime of treason. The parliament, however, scrupled not to pass sentence upon him; and he died with great constancy and courage. As he was universally known to have been the chief instrument of the past disorders and civil wars, the irregularity of his sentence, and several iniquitous circumstances in the method of conducting his trial, seemed, on that account, to admit of some apology. Lord Loine, son of Argyle, having ever preserved his loyalty, obtained a gift of the forfeiture. Guthrie was a seditious preacher, and had personally affronted the king; his punishment gave surprise to nobody. Sir Archibald Johnstone of Warriston was attainted and fled, but was seized in France about two years after, brought over, and executed. He had been very active during all the late disorders, and was even suspected of a secret correspondence with the English regicides.

Besides these instances of compliance in the Scottish parliament, they voted an additional revenue to the king of 40,000*l* a year, to be levied by way of excise. A small force was purposed to be maintained by this revenue, in order to prevent like confusions with those to which the kingdom had been hitherto exposed. An act was also passed, declaring the solemn league and covenant unlawful, and its obligation void and null.

In England, the civil distinctions seemed to be abolished by the

lenity and equality of Charles's administration Cavalier and Roundhead were heard of no more all men seemed to concur in submitting to the king's lawful prerogatives, and in cherishing the just privileges of the people and of parliament Theological controversy alone still subsisted, and kept alive some sparks of that flame which had thrown the nation into combustion While catholics, independents, and other sectaries, were content with entertaining some prospect of toleration, prelacy and presbytery struggled for the superiority, and the hopes and fears of both parties kept them in agitation A conference was held (March 25) in the Savoy between twelve bishops and twelve leaders among the presbyterian ministers, with an intention, at least on pretence, of bringing about the accommodation between the parties. The surplice, the cross in baptism, the kneeling at the sacrament, the bowing at the name of Jesus, were anew canvassed, and the ignorant multitude were in hopes, that so many men of gravity and learning could not fail, after deliberate argumentation, to agree in all points of controversy they were surprised to see them separate more inflamed than ever, and more confirmed in their several prejudices To enter into particulars would be superfluous Disputes concerning religious forms are, in themselves, the most frivolous of any, and merit attention only so far as they may have influence on the peace and order of civil society

The king's declaration had promised, that some endeavours should be used to effect a comprehension of both parties, and Charles's own indifference with regard to all such questions seemed a favourable circumstance for the execution of that project The partisans of a comprehension said, that the presbyterians, as well as the prelaticists, having felt by experience the fatal effects of obstinacy and violence, were now well disposed towards an amicable agreement that the bishops, by relinquishing some part of their authority, and dispensing with the most exceptionable ceremonies, would so gratify their adversaries as to obtain their cordial and affectionate compliance, and unite the whole nation in one faith and one worship that by obstinately insisting on forms, in themselves insignificant, an air of importance was bestowed on them, and men were taught to continue equally obstinate in rejecting them that the presbyterian clergy would go every reasonable length, rather than, by parting with their livings, expose themselves to a state of beggary, at best of dependence and that if their pride were flattered by some seeming alterations, and a pretence given them for affirming, that they had not abandoned their former principles, nothing further was wanting to produce a thorough union between those two parties, which comprehended the bulk of the nation

It was alleged on the other hand, that the difference between religious sects was founded, not on principle, but on passion; and till the irregular affections of men could be corrected, it was in vain to expect, by compliances, to obtain a perfect unanimity and comprehension that the more insignificant the objects of dispute appeared, with the more certainty might it be inferred, that the real ground of dissension was different from that which was universally pretended that the love of novelty, the pride of argumentation, the pleasure of making

proselytes, and the obstinacy of contradiction, would for ever give rise to sects and disputes, nor was it possible that such a source of dissension could ever, by any concessions, be entirely exhausted that the church, by departing from ancient practices and principles, would tacitly acknowledge herself guilty of error, and lose that reverence, so requisite for preserving the attachment of the multitude and that if the present concessions (which was more than probable) should prove ineffectual, greater must still be made, and in the issue, discipline would be despoiled of all its authority, and worship of all its decency, without obtaining that end which had been so fondly sought for by these dangerous indulgences

The ministry were inclined to give the preference to the latter arguments, and were the more confirmed in that intention by the disposition which appeared in the parliament lately assembled. The royalists and zealous churchmen were at present the popular party in the nation, and, seconded by the efforts of the court, had prevailed in most elections. Not more than fifty-six members of the presbyterian party had (May 8) obtained seats in the lower house (Cairne's Answer to the Bystander, p. 79); and these were not able either to oppose or retard the measures of the majority. Monarchy, therefore, and episcopacy were now exalted to as great power and splendour as they had lately suffered misery and depression. Sir Edward Turner was chosen speaker.

An act was passed for the security of the king's person and government. To intend or devise the king's imprisonment, or bodily harm, or deposition, or levying war against him, was declared, during the life-time of his present majesty, to be high treason. To affirm him to be a papist or heretic, or to endeavour by speech or writing to alienate his subjects' affections from him, these offences were made sufficient to incapacitate the person guilty from holding any employment in church or state. To maintain that the long parliament is not dissolved, or that either or both houses, without the king, are possessed of legislative authority, or that the covenant is binding, was made punishable by the penalty of premunire.

The covenant itself, together with the act for erecting the high court of justice, that for subscribing the engagement, and that for declaring England a commonwealth, were ordered to be burnt by the hands of the hangman. The people assisted with great alacrity on this occasion.

The abuses of petitioning in the preceding reign had been attended with the worst consequences, and to prevent such irregular practices for the future, it was enacted, that no more than twenty hands should be fixed to any petition, unless with the sanction of three justices, or the major part of the grand jury, and that no petition should be presented to the king or either house by above ten persons. The penalty annexed to a transgression of this law was a fine of 100*l*. and three months' imprisonment.

The bishops, though restored to their spiritual authority, were still excluded from parliament by the law which the late king had passed immediately before the commencement of the civil disorders. Great violence, both against the king and the house of peers, had been employed in passing this law, and on that account alone, the partisans

of the church were provided with a plausible pretence for repealing it. Charles expressed much satisfaction, when he gave his assent to the act for that purpose. It is certain, that the authority of the crown, as well as that of the church, was interested in restoring the prelates to their former dignity. But those, who deemed every acquisition of the prince a detriment to the people, were apt to complain of this instance of complaisance in the parliament.

After an adjournment of some months, the parliament was (Nov. 20) again assembled, and proceeded in the same spirit as before. They discovered no design of restoring, in its full extent, the ancient prerogative of the crown: they were only anxious to repair all those breaches, which had been made, not by the love of liberty, but by the fury of faction and civil war. The power of the sword had, in all ages, been allowed to be vested in the crown, and though no law conferred this prerogative, every parliament, till the last of the preceding reign, had willingly submitted to an authority more ancient, and therefore more sacred, than that of any positive statute. It was now thought proper solemnly to relinquish the violent pretensions of that parliament, and to acknowledge, that neither one house, nor both houses, independent of the king, were possessed of any military authority. The preamble to this statute went so far as to renounce all right even of 'defensive' arms against the king, and much observation has been made with regard to a concession esteemed so singular. Were these terms taken in their full literal sense, they imply a total renunciation of limitations to monarchy, and of all privileges in the subject, independent of the will of the sovereign. For as no rights can subsist without some remedy, still less rights exposed to so much invasion from tyranny, or even from ambition, if subjects must never resist, it follows, that every prince, without any effort, policy or violence, is at once rendered absolute and uncontrollable: the sovereign needs only issue an edict, abolishing every authority but his own, and all liberty, from that moment, is in effect annihilated. But this meaning it were absurd to impute to the present parliament, who, though zealous royalists, showed in their measures, that they had not cast off all regard to national privileges. They were probably sensible, that to suppose in the sovereign any such invasion of public liberty is entirely unconstitutional, and that therefore expressly to reserve, upon that event, any right of resistance in the subject must be liable to the same objection. They had seen that the long parliament, under colour of defence, had begun a violent attack upon kingly power; and, after involving the kingdom in blood, had finally lost that liberty, for which they had so imprudently contended. They thought, perhaps erroneously, that it was no longer possible, after such public and such exorbitant pretensions, to persevere in that prudent silence hitherto maintained by the laws, and that it was necessary, by some positive declaration, to bar the return of like inconveniences. When they excluded, therefore, the right of defence, they supposed, that the constitution remaining firm upon its basis, there never really could be an attack made by the sovereign. If such an attack was at any time made, the necessity was then extreme: and the case of extreme and violent necessity, no laws, they thought, could comprehend; because

to such a necessity no laws could beforehand point out a proper remedy.

The other measures of this parliament* still discovered a more anxious care to guard against rebellion in the subject than encroachments in the crown. the recent evils of civil war and usurpation had naturally increased the spirit of submission to the monarch, and had thrown the nation into that dangerous extreme. During the violent and jealous government of the parliament and of the protectors, all magistrates, liable to suspicion, had been expelled the corporations; and none had been admitted, who gave not proofs of affection to the ruling powers, or who refused to subscribe the covenant. To leave all authority in such hands seemed dangerous, and the parliament, therefore, empowered the king to appoint commissioners for regulating the corporations, and expelling such magistrates as either intruded themselves by violence, or professed principles dangerous to the constitution, civil and ecclesiastical. It was also enacted, that all magistrates should disclaim the obligation of the covenant, and should declare, both their belief that it was not lawful, upon any pretence whatsoever, to resist the king, and their abhorrence of the traitorous position of taking arms by the king's authority against his person, or against those who were commissioned by him.

The care of the church was no less attended to by this parliament, than that of monarchy; and the bill of uniformity (A. 1662) was a pledge of their sincere attachment to the episcopal hierarchy, and of their antipathy to presbyterianism. Different parties, however, concurred in promoting this bill, which contained many severe clauses. The independents and other sectaries, enraged to find all their schemes subverted by the presbyterians, who had once been their associates, exerted themselves to disappoint that party of the favour and indulgence, to which, from their recent merits in promoting the restoration, they thought themselves justly entitled. By the presbyterians, said they, the war was raised, by them was the populace first incited to tumults, by their zeal, interest, and riches were the armies supported; by their force was the king subdued. And if, in the sequel, they protested against those extreme violences, committed on his person by the military leaders, their opposition came too late, after having supplied these usurpers with the power and the pretences, by which they maintained their sanguinary measures. They had indeed concurred with the royalists in recalling the king, but ought they to be esteemed, on that account, more affectionate to the royal cause? Rage and animosity, from disappointed ambition, were plainly their sole motives, and if the king should now be so imprudent as to distinguish them by any particular indulgences, he would soon experience from them the same hatred and opposition which had proved so fatal to his father.

The catholics, though they had little interest in the nation, were a considerable party at court, and from their services and sufferings during the civil wars, it seemed but just to bear them some favour and regard. These religionists dreaded an entire union among the protestants. Were they the sole nonconformists in the nation, the severe execution of penal laws upon their sect seemed an infallible consequence, and they used, therefore, all their interest to push mat-

ters to extremity against the presbyterians, who had formerly been their most severe oppressors, and whom they now expected for their companions in affliction. The Earl of Bristol, who, from conviction, or interest, or levity, or complaisance for the company with whom he lived, had changed his religion during the king's exile, was regarded as the head of this party.

The church party had, during so many years, suffered such injuries and indignities from the sectaries of every denomination, that no moderation, much less deference, was on this occasion to be expected in the ecclesiastics. Even the laity of that communion seemed now disposed to retaliate upon their enemies, according to the usual measures of party justice. This sect or faction (for it partook of both) encouraged the rumours of plots and conspiracies against the government; crimes, which, without any apparent reason, they imputed to their adversaries. And instead of enlarging the terms of communion, in order to comprehend the presbyterians, they gladly laid hold of the prejudices which prevailed among that sect, in order to eject them from their livings. By the bill of uniformity it was required, that every clergyman should be re-ordained, if he had not before received episcopal ordination, 'should declare his assent to everything contained in the "Book of Common Prayer," should take the oath of canonical obedience, should abjure the solemn league and covenant, and should renounce the principle of taking arms, on any pretence whatsoever, against the king.'

This bill reinstated the church in the same condition in which it stood before the commencement of the civil wars, and as the old persecuting laws of Elizabeth still subsisted in their full rigour, and new clauses of a like nature were now enacted, all the king's promises of toleration and of indulgence to tender consciences were thereby eluded and broken. It is true, Charles, in his declaration from Breda, had expressed his intention of regulating that indulgence by the advice and authority of parliament; but this limitation could never reasonably be extended to a total infringement and violation of his engagements. However, it is agreed, that the king did not voluntarily concur with this violent measure, and that the zeal of Clarendon and of the church party among the commons, seconded by the intrigues of the catholics, was the chief cause which extorted his consent.

The royalists, who now predominated, were very ready to signalise their victory, by establishing those high principles of monarchy which their antagonists had controverted; but when any real power or revenue was demanded for the crown, they were neither so forward nor so liberal in their concessions as the king would gladly have wished. Though the parliament passed laws for regulating the navy, they took no notice of the army; and declined giving their sanction to this dangerous innovation. The king's debts were become intolerable; and the commons were at last constrained to vote him an extraordinary supply of 1,200,000*l.*, to be levied by eighteen monthly assessments. But besides that this supply was much inferior to the occasion, the king was obliged earnestly to solicit the commons, before he could obtain it, and, in order to convince the house of its absolute necessity, he desired them to examine strictly into all his receipts and dis-

bursements Finding likewise, upon inquiry, that the several branches of revenue fell much short of the sums expected, they at last, after much delay, voted a new imposition of two shillings on each hearth, and thus tax they settled on the king during life The whole established revenue, however, did not, for many years, exceed a million (D'Estrades, July 25, 1661, Ralph's Hist, vol 1 p 176), a sum confessedly too narrow for the public expenses A very rigid frugality at least, which the king seems to have wanted, would have been requisite to make it suffice for the dignity and security of government After all business was dispatched, the parliament was prorogued

Before the parliament rose, the court was employed in making preparations for the reception of the new queen, Catherine of Portugal, to whom the king was betrothed, and who had just landed at Portsmouth During the time that the protector carried on the war with Spain, he was naturally led to support the Portuguese in their revolt, and he engaged himself by treaty to supply them with 10,000 men for their defence against the Spaniards On the king's restoration, advances were made by Portugal for the renewal of the alliance, and in order to bind the friendship closer, an offer was made of the Portuguese princess and a portion of 500,000*l*, together with two fortresses, Tangiers in Africa and Bombay in the East Indies Spain, who, after the peace of the Pyrenees, bent all her force to recover Portugal, now in appearance abandoned by France, took the alarm, and endeavoured to fix Charles in an opposite interest The catholic king offered to adopt any other princess as a daughter of Spain, either the princess of Parma, or, what he thought more popular, some protestant princess, the daughter of Denmark, Saxony, or Orange and on any of these he promised to confer a dowry equal to that which was offered by Portugal But many reasons inclined Charles rather to accept of the Portuguese proposals The great disorders in the government and finances of Spain made the execution of her promises be much doubted, and the king's urgent necessities demanded some immediate supply of money The interest of the English commerce likewise seemed to require that the independence of Portugal should be supported, lest the union of that crown with Spain should put the whole treasures of America into the hands of one potentate The claims, too, of Spain upon Dunkirk and Jamaica rendered it impossible, without further concessions, to obtain the cordial friendship of that power and on the other hand, the offer, made by Portugal, of two such considerable fortresses, promised a great accession to the naval force of England Above all, the proposal of a protestant princess was no allurements to Charles, whose inclinations led him strongly to give the preference to a catholic alliance According to the most probable accounts,¹ the resolution of marrying the daughter of Portugal was taken by the king unknown to all his ministers, and no remonstrances could prevail

¹ Carte's Ormond, vol 11 p 254 This account seems better supported, than that in Ablandcourt's Memoirs, that the chancellor chiefly pushed the Portuguese alliance The secret transactions of the court of England could not be supposed to be much known to a French resident at Lisbon, and whatever opposition the chancellor might make, he would certainly endeavour to conceal it from the queen and all her family, and even in the parliament and council would support the resolution already taken Clarendon himself says in his Memoirs, that he 'never either opposed or promoted the Portuguese match'

with him to alter his intentions. When the matter was laid before the council, all voices concurred in approving the resolution, and the parliament expressed the same complaisance. And thus was concluded (May 21, 1662) seemingly with universal consent, the inauspicious marriage with Catherine, a princess of virtue, but who was never able, either by the graces of her person or humour, to make herself agreeable to the king. The report, however, of her natural incapacity to have children, seems to have been groundless, since she was twice declared to be pregnant (Landsdown's Defence of Monk, Temple, vol. 11 p. 154).

The festivity of these espousals was clouded by the trial and execution of criminals. Berkstead, Cobbet, and Okey, three regicides, had escaped beyond sea, and after wandering some time concealed in Germany, came privately to Delft, having appointed their families to meet them in that place. They were discovered by Downing, the king's resident in Holland, who had formerly served the protector and commonwealth in the same station, and who once had even been chaplain to Okey's regiment. He applied for a warrant to arrest them. It had been usual for the States to grant these warrants, though, at the same time, they had ever been careful secretly to advertise the persons, that they might be enabled to make their escape. This precaution was eluded by the vigilance and dispatch of Downing. He quickly seized the criminals, hurried them on board a frigate which lay off the coast, and sent them to England. These three men behaved with more moderation and submission than any of the other regicides who had suffered. Okey in particular, at the place of execution, prayed for the king, and expressed his intention, had he lived, of submitting peaceably to the established government. He had risen during the wars from being a chandler in London to a high rank in the army; and in all his conduct appeared to be a man of humanity and honour. In consideration of his good character and of his dutiful behaviour, his body was given to his friends to be buried.

The attention of the public was much engaged by the trial of two distinguished criminals, Lambert and Vane. These men, though none of the late king's judges, had been excepted from the general indemnity, and committed to prison. The convention-parliament, however, was so favourable to them as to petition the king, if they should be found guilty, to suspend their execution. But this new parliament, more zealous for monarchy, applied for their trial and condemnation. Not to revive disputes, which were better buried in oblivion, the indictment of Vane did not comprehend any of his actions during the war between the king and parliament. It extended only to his behaviour after the late king's death, as member of the council of state and secretary of the navy, where fidelity to the trust reposed in him required his opposition to monarchy.

Vane wanted neither courage nor capacity to avail himself of this advantage. He urged that, if a compliance with the government at that time established in England, and the acknowledging of its authority, were to be regarded as criminal, the whole nation had incurred equal guilt, and none would remain whose innocence could entitle them to try or condemn him for his pretended treasons: that,

according to these maxims, wherever an illegal authority was established by force, a total and universal destruction must ensue, while the usurpers proscribed one part of the nation for disobedience, the lawful prince punished the other for compliance that the legislature of England, foreseeing this violent situation, had provided for public security by the famous statute of Henry VII, in which it was enacted, that no man, in case of any revolution, should ever be questioned for his obedience to the king in being that whether the established government were a monarchy or a commonwealth, the reason of the thing was still the same; nor ought the expelled prince to think himself entitled to allegiance, so long as he could not afford protection that it belonged not to private persons, possessed of no power, to discuss the title of their governors, and every usurpation, even the most flagrant, would equally require obedience with the most legal establishment that the controversy between the late king and his parliament was of the most delicate nature, and men of the greatest probity had been divided in their choice of the party which they should embrace, that the parliament, being rendered indissoluble but by its own consent, was become a kind of co-ordinate power with the king; and as the case was thus entirely new and unknown to the constitution, it ought not to be tried rigidly by the letter of the ancient laws that for his part, all the violences which had been put upon the parliament, and upon the person of the sovereign, he had ever condemned, nor had he once appeared in the house for some time before and after the execution of the king that finding the whole government thrown into disorder, he was still resolved, in every revolution, to adhere to the commons, the root, the foundation of all lawful authority that in prosecution of this principle, he had cheerfully undergone all the violence of Cromwell's tyranny, and would now, with equal alacrity, expose himself to the rigours of perverted law and justice that though it was in his power, on the king's restoration, to have escaped from his enemies, he was determined, in imitation of the most illustrious names of antiquity, to perish in defence of liberty, and to give testimony with his blood for that honourable cause in which he had been enlisted and that, besides the ties by which God and nature had bound him to his native country, he was voluntarily engaged by the most sacred covenant, whose obligation no earthly power should ever be able to make him relinquish

All the defence which Vane could make was fruitless The court, considering more the general opinion of his active guilt in the beginning and prosecution of the civil wars, than the articles of treason charged against him, took advantage of the letter of the law, and (June 11) brought him in guilty His courage deserted him not upon his condemnation. Though timid by nature, the persuasion of a just cause supported him against the terrors of death, while his enthusiasm, excited by the prospect of glory, embellished the conclusion of a life which, through the whole course of it, had been so much disfigured by the prevalence of that principle Lest pity for a courageous sufferer should make impression on the populace, drummers were (June 14) placed under the scaffold, whose noise, as he began to launch out in reflections on the government, drowned his voice, and ad-

monished him to temper the ardour of his zeal. He was not astonished at this unexpected incident. In all his behaviour there appeared a firm and animated intrepidity; and he considered death but as a passage to that eternal felicity which he believed to be prepared for him.

This man, so celebrated for his parliamentary talents and for his capacity in business, has left some writings behind him. They treat, all of them, of religious subjects, and are absolutely unintelligible. No traces of eloquence, or even of common sense, appear in them. A strange paradox did we not know that men of the greatest genius, where they relinquish by principle the use of their reason, are only enabled, by their vigour of mind, to work themselves the deeper into error and absurdity. It was remarkable that, as Vane, by being the chief instrument of Stafford's death, had first opened the way for that destruction which overwhelmed the nation, so by his death he closed the scene of blood. He was the last that sufficed on account of the civil wars. Lambert, though condemned, was reprieved at the bar, and the judges declared that, if Vane's behaviour had been equally dutiful and submissive, he would have experienced like lenity in the king. Lambert survived his condemnation near thirty years. He was confined to the isle of Guernsey, where he lived contented, forgetting all his past schisms of greatness, and entirely forgotten by the nation. He died a Roman Catholic.

However odious Vane and Lambert were to the presbyterians, that party had no leisure to rejoice at their condemnation. The fatal St Bartholomew approached, the day (Aug. 24) when the clergy were obliged by the late law either to relinquish their livings or to sign the articles required of them. A combination had been entered into by the most zealous of the presbyterian ecclesiastics to refuse the subscription, in hopes that the bishops would not venture at once to expel so great a number of the most popular preachers. The catholic party at court, who desired a great rent among the protestants, encouraged them in this obstinacy, and gave them hopes that the king would protect them in their refusal. The king himself, by his irresolute conduct, contributed, either from design or accident, to increase this opinion. Above all, the terms of subscription had been made strict and rigid, on purpose to disgust all the zealous and scrupulous among the presbyterians, and deprive them of their livings. About 2000 of the clergy in one day relinquished their cures, and, to the astonishment of the court, sacrificed their interest to their religious tenets. Fortified by society in their sufferings, they were resolved to undergo any hardships rather than openly renounce those principles which, on other occasions, they were so apt, from interest, to waive or elude. The church enjoyed the pleasure of retaliation, and even pushed, as usual, the vengeance further than the offence. During the dominion of the parliamentary party, a fifth of each living had been left to the ejected clergyman, but this indulgence, though at first insisted on by the house of peers, was now refused to the presbyterians. However difficult to conciliate peace among theologians, it was hoped by many that some relaxation in the terms of communion might have kept the presbyterians united to the church, and have

cured those ecclesiastical factions which had been so fatal, and were still so dangerous. Bishoprics were offered to Calamy, Baxter, and Reynolds, leaders among the presbyterians. the last only could be prevailed on to accept. Deaneries and other preferments were refused by many.

The next measure of the king has not had the good fortune to be justified by any party, but is often considered, on what grounds I shall not determine, as one of the greatest mistakes, if not blemishes, of his reign. It is the sale of Dunkirk to the French. The parsimonious maxims of the parliament, and the liberal or rather careless disposition of Charles, were ill-suited to each other, and notwithstanding the supplies voted him, his treasury was still very empty, and very much indebted. He had secretly received the sum of 200,000 crowns from France for the support of Portugal, but the forces sent over to that country, and the fleets maintained in order to defend it, had already cost the king that sum, and together with it, near double the money which had been paid as the queen's portion¹. The time fixed for payment of his sister's portion to the Duke of Orleans was approaching. Tangiers, a fortress from which great benefit was expected, was become an additional burden to the crown, and Rutherford, who now commanded in Dunkirk, had increased the charge of that garrison to 120,000*l.* a year. These considerations had such influence, not only on the king, but even on Clarendon, that this uncorrupt minister was the most forward to advise accepting a sum of money in lieu of a place which he thought the king, from the narrow state of his revenue, was no longer able to retain. By the treaty with Portugal it was stipulated that Dunkirk should never be yielded to the Spaniards. France was therefore the only purchaser that remained. D'Estrades was invited over by a letter from the chancellor himself in order to conclude the bargain. Nine hundred thousand pounds were demanded. One hundred thousand were offered. The English by degrees lowered their demand, the French raised their offer, and the bargain was concluded at 400,000*l.* The artillery and stores were valued at a fifth of the sum (D'Estrades, Aug 21, Sept 12, 1662). The importance of this sale was not, at that time, sufficiently known either abroad or at home.² The French monarch himself, so fond of acquisitions, and so good a judge of his own interests, thought that he had made a hard bargain,³ and this sum, in appearance so small, was the utmost which he would allow his ambassador to offer.

A new incident discovered such a glimpse of the king's character

¹ D'Estrades, August 17, 1662. There was above half of 500,000*l.* really paid as the queen's portion.

² It appears, however, from many of D'Estrade's letters, particularly that of the 21st Aug 1661, that the king might have transferred Dunkirk to the parliament, who would not have refused to bear the charges of it, but were unwilling to give money to the king for that purpose. The king, on the other hand, was jealous, lest the parliament should acquire any separate dominion or authority in a branch of administration which seemed so little to belong to them. a proof that the government was not yet settled into that composure and mutual confidence which is absolutely requisite for conducting it.

³ D'Estrades, Oct 3, 1662. The chief importance indeed of Dunkirk to the English was, that it was able to distress their trade when in the hands of the French, but it was Louis XIV. who first made it a good seaport. If ever England have occasion to transport armies to the continent, it must be in support of some ally whose towns serve to the same purpose as Dunkirk would if in the hands of the English.

and principles as at first the nation was somewhat at a loss how to interpret, but such as subsequent events, by degrees, rendered sufficiently plain and manifest. He issued (Dec 26) a declaration, on pretence of mitigating the rigours contained in the act of uniformity. After expressing his firm resolution to observe the general indemnity, and to trust entirely to the affections of his subjects, not to any military power, for the support of his throne, he mentioned the promises of liberty of conscience, contained in his declaration of Breda. And he subjoined that 'as in the first place he had been zealous to settle the uniformity of the Church of England, in discipline, ceremony, and government, and shall ever constantly maintain it so as for what concerns the penalties upon those who, living peaceably, do not conform themselves thereunto, through scruple and tenderness of misguided conscience, but modestly and without scandal perform their devotions in their own way, he should make it his special care, so far as in him lay, without invading the freedom of parliament, to incline their wisdom next approaching sessions to concur with him in making some such act for that purpose, as may enable him to exercise, with a more universal satisfaction, that power of dispensing which he conceived to be inherent in him' (Kennet's Register, p 850). Here a most important prerogative was exercised by the king, but under such artful reserves and limitations as might prevent the full discussion of the claim, and obviate a breach between him and his parliament. The foundation of this measure lay much deeper, and was of the utmost consequence.

The king, during his exile, had imbibed strong prejudices in favour of the catholic religion, and, according to the most probable accounts, had already been secretly reconciled in form to the Church of Rome. The great zeal, expressed by the parliamentary party against all papists, had always, from a spirit of opposition, inclined the court and all the royalists to adopt more favourable sentiments towards that sect, which, through the whole course of the civil wars, had strenuously supported the rights of the sovereign. The rigour, too, which the king, during his abode in Scotland, had experienced from the presbyterians disposed him to run into the other extreme, and to bear a kindness to the party most opposite in its genius to the severity of those religionists. The solicitations and importunities of the queen-mother, the contagion of the company which he frequented, the view of a more splendid and courtly mode of worship, the hopes of indulgence in pleasure. all these causes operated powerfully on a young prince, whose careless and dissolute temper made him incapable of adhering closely to the principles of his early education. But if the thoughtless humour of Charles rendered him an easy convert to popery, the same disposition ever prevented the theological tenets of that sect from taking any fast hold of him. During his vigorous state of health, while his blood was warm and his spirits high, a contempt and disregard to all religion held possession of his mind, and he might more properly be denominated a deist than a catholic. But in those revolutions of temper, when the love of idleness gave place to reflection, and his penetrating but negligent understanding was clouded with fears and apprehensions, he had starts of more sincere conviction; and a

sect which always possessed his inclination, was then master of his judgment and opinion¹

But though the king thus fluctuated, during his old reign, between irreligion, which he more openly professed, and popery, to which he retained a secret propensity, his brother, the Duke of York, had zealously adopted all the principles of that theological party. His eager temper and narrow understanding made him a thorough convert, without any reserve from interest, or doubts from reasoning and enquiry. By his application to business he had acquired a great ascendancy over the king, who though possessed of more discernment, was glad to throw the burden of affairs on the duke, of whom he entertained little jealousy. On pretence of easing the protestant dissenters, they agreed upon a plan for introducing a general toleration, and giving the catholics the free exercise of their religion; at least, the exercise of it in private houses. The two brothers saw with pleasure so numerous and popular a body of the clergy refuse conformity, and it was hoped that, under shelter of their name, the small and hated sect of the catholics might meet with favour and protection.

But while the king pleaded his early promises of toleration, and insisted on many other plausible topics, the parliament, who sat (Feb. 18, 1663,) a little after the declaration was issued, could by no means be satisfied with this measure. The declared intention of easing the dissenters, and the secret purpose of favouring the catholics, were equally disagreeable to them, and in these prepossessions they were encouraged by the king's ministers themselves, particularly the chancellor. The house of commons represented to the king, that his declaration of Breda contained no promise to the presbyterians and other dissenters, but only an expression of his intentions, upon supposition of the concurrence of parliament. that even if the nonconformists had been entitled to plead a promise, they had entrusted this claim, as all their other rights and privileges, to the house of commons, who were their representatives, and who now freed the king from that obligation. that it was not to be supposed that his majesty and the houses were so bound by that declaration as to be incapacitated from making any laws which might be contrary to it. that even at the king's restoration, there were laws of uniformity in force which could not be dispensed with but by act of parliament. and that the indulgence intended would prove most pernicious both to church and state, would open the door to schism, encourage faction, disturb the public peace, and discredit the wisdom of the legislature. The king did not think proper, after this remonstrance, to insist any farther at present on the project of indulgence.

In order to deprive the catholics of all hopes, the two houses concurred in a remonstrance against them. The king gave a gracious answer, though he scrupled not to profess his gratitude towards many of that persuasion, on account of their faithful services in his father's cause and in his own. A proclamation, for form's sake, was soon after issued against Jesuits and Romish priests. but care was taken, by the very terms of it, to render it ineffectual. The parliament had allowed,

¹ The author confesses, that the king's zeal for popery was apt, at intervals, to go farther than is here supposed, as appears from many passages in James II's *Memoirs*.

that all foreign priests, belonging to the two queens, should be excepted, and that a permission for them to remain in England should still be granted. In the proclamation, the word 'foreign' was purposely omitted, and the queens were thereby authorized to give protection to as many English priests as they should think proper.

That the king might reap some advantage from his compliances, however fallacious, he engaged the commons anew into an examination of his revenue, which, chiefly by the negligence in levying it, had proved, he said, much inferior to the public charges. Notwithstanding the price of Dunkirk, his debts, he complained, amounted to a considerable sum, and to satisfy the commons that the money formerly granted him had not been prodigally expended, he offered to lay before them the whole account of his disbursements. It is, however, agreed on all hands, that the king, though during his banishment he had managed his small and precarious income with great order and economy, had now much abated of these virtues, and was unable to make his royal revenues suffice for his expenses. The commons, without entering into too nice a disquisition, voted him four subsidies, and this was the last time that taxes were levied in that manner.

Several laws were made this session with regard to trade. The militia also came under consideration, and some rules were established for ordering and arming it. It was enacted, that the king should have no power of keeping the militia under arms above fourteen days in the year. The situation of this island, together with its great naval power, has always occasioned other means of security, however requisite, to be much neglected amongst us, and the parliament showed here a very superfluous jealousy of the king's strictness in disciplining the militia. The principles of liberty rather require a contrary jealousy.

The Earl of Bristol's friendship with Clarendon, which had subsisted with great intimacy during their exile and the distresses of the royal party, had been considerably impaired since the restoration, by the chancellor's refusing his assent to some grants, which Bristol had applied for to a court lady, and a little after, the latter nobleman, agreeably to the impetuosity and indiscretion of his temper, broke out against the minister in the most outrageous manner. He even entered a charge of treason against him before the house of peers, but had concerted his measures so imprudently, that the judges, when consulted, declared, that, neither for its matter nor its form, could the charge be legally received. The articles indeed resemble more the incoherent allegations of a passionate enemy, than a serious accusation, fit to be discussed by a court of judicature, and Bristol himself was so ashamed of his conduct and defeat, that he absconded during some time. Notwithstanding his fine talents, his eloquence, his spirit, and his courage, he could never regain the character which he lost by this hasty and precipitate measure.

But though Clarendon was able to elude this rash assault, his credit at court was sensibly declining, and in proportion as the king found himself established on the throne, he began to alienate himself from a minister, whose character was so little suited to his own. Charles's favour for the catholics was always opposed by Clarendon, public

liberty was secured against all attempts of the over-zealous royalists, prodigal giants of the king were checked or refused, and the dignity of his own character was so much consulted by the chancellor, that he made it an inviolable rule, as did also his friend, Southampton, never to enter into any connexion with the royal mistresses. The king's favourite was Mrs. Palmer, afterwards created Duchess of Cleveland, a woman prodigal, rapacious, dissolute, violent, revengeful. She failed not in her turn to undermine Clarendon's credit with his master, and her success was at this time made apparent to the whole world. Secretary Nicholas, the chancellor's great friend, was removed from his place; and Sir Harry Bennet, soon after created Lord Arlington, his avowed enemy, was advanced to that office.

Though the king's conduct had hitherto, since his restoration, been, in the main, laudable, men of penetration began to observe, that those virtues, by which he had at first so much dazzled and enchanted the nation, had great show, but not equal solidity. His good understanding lost much of its influence by his want of application, his bounty was more the result of a facility of disposition, than any generosity of character, his social humour led him frequently to neglect his dignity; his love of pleasure was not attended with proper sentiment and decency, and while he seemed to bear a good will to every one that approached him, he had a heart not very capable of friendship, and he had secretly entertained a very bad opinion and distrust of mankind. But above all, what sullied his character in the eyes of good judges, was his negligent ingratitude towards the unfortunate cavaliers, whose zeal and sufferings in the royal cause had known no bounds. This conduct, however, in the king, may from the circumstances of his situation and temper, admit of some excuse, at least, of some alleviation. As he had been restored more by the efforts of his reconciled enemies than of his ancient friends, the former pretended a title to share his favour; and being, from practice, acquainted with public business, they were better qualified to execute any trust committed to them. The king's revenues were far from being large, or even equal to his necessary expenses, and his mistresses, and the companions of his mirth and pleasures, gained, by solicitation, every request from his easy temper. The very poverty, to which the more zealous royalists had reduced themselves, by rendering them insignificant, made them unfit to support the king's measures, and caused him to deem them a useless incumbrance. And as many false and ridiculous claims of merit were offered, his natural indolence, averse to a strict discussion or enquiry, led him to treat them all with equal indifference. The parliament took some notice of the poor cavaliers. Sixty thousand pounds were at one time distributed among them. Mrs. Lane also, and the Penderells, had handsome presents and pensions from the king. But the greater part of the royalists still remained in poverty and distress, aggravated by the cruel disappointment in their sanguine hopes, and by seeing favour and preferment bestowed upon their most inveterate foes. With regard to the act of indemnity and oblivion, they universally said, that it was an act of indemnity to the king's enemies, and of oblivion to his friends.

CHAPTER LXIV.

A new session—Rupture with Holland—A new session—Victory of the English—Rupture with France—Rupture with Denmark—New session—Sea-fight of four days—Victory of the English—Fire of London—Advances towards peace—Disgrace at Chatham—Peace of Breda—Clarendon's fall—and banishment—State of France—Character of Lewis XIV—French invasion of the Low Countries—Negotiations—The Triple league—Treaty of Aix-la-Chapelle—The Affairs of Scotland—and of Ireland

THE next session (March 16, 1661) of parliament discovered a continuance of the same principles which had prevailed in all the foregoing Monarchy and the church were still the objects of regard and affection. During no period of the present reign did this spirit more evidently pass the bounds of reason and moderation.

The king, in his speech to the parliament, had ventured openly to demand a repeal of the triennial act, and he even went so far as to declare, that, notwithstanding the law, he never would allow any parliament to be assembled by the methods prescribed in that statute. The parliament, without taking offence at this declaration, repealed the law, and, in lieu of all the securities formerly provided, satisfied themselves with a general clause, 'that parliaments should not be interrupted above three years at the most.' As the English parliament had now raised itself to be a regular check and control upon royal power, it is evident, that they ought still to have preserved a regular security for their meeting, and not have trusted entirely to the goodwill of the king, who, if ambitious or enterprising, had so little reason to be pleased with these assemblies. Before the end of Charles's reign, the nation had occasion to feel very sensibly the effects of this repeal.

By the act of uniformity, every clergyman, who should officiate without being properly qualified, was punishable by fine and imprisonment; but this security was not thought sufficient for the church. It was now enacted, that whenever five persons above those of the same household should assemble in a religious congregation, every one of them was liable, for the first offence, to be imprisoned three months, or pay five pounds, for the second, to be imprisoned six months, or pay ten pounds, and for the third to be transported seven years, or pay a hundred pounds. The parliament had only in their eye the malignity of the sectaries they should have carried their attention farther, to the chief cause of that malignity, the restraint under which they laboured.

The commons likewise passed a vote, that the wrongs, dishonours, and indignities, offered to the English by the subjects of the United Provinces, were the greatest obstructions to all foreign trade, and they promised to assist the king with their lives and fortunes in asserting the rights of his crown against all opposition whatsoever. This was the first open step towards a Dutch war. We must explain the causes and motives of this measure.

That close union and confederacy, which, during a course of near seventy years, has subsisted, almost without interruption or jealousy, between England and Holland, was not so much founded on the natural unalterable interests of these states, as on their terror of the growing power of the French monarch, who, without their combination, it was apprehended, would soon extend his dominion over Europe. In the first year of Charles's reign, when the ambitious genius of Lewis had not, as yet, displayed itself, and when the great force of his people was, in some measure, unknown even to themselves, the rivalry of commerce, not checked by any other jealousy or apprehension, had in England begotten a violent enmity against the neighbouring republic.

Trade was beginning among the English, to be a matter of general concern; but notwithstanding all their efforts and advantages, their commerce seemed hitherto to stand upon a footing which was somewhat precarious. The Dutch, who by industry and frugality were enabled to undersell them in every market, retained possession of the most lucrative branches of commerce, and the English merchants had the mortification to find, that all attempts to extend their trade were still turned, by the vigilance of their rivals, to their loss and dishonour. Their indignation increased, when they considered the superior naval power of England; the bravery of her officers and seamen; her favourable situation, which enabled her to intercept the whole Dutch commerce. By the prospect of these advantages they were strongly prompted, from motives less just than political, to make war upon the States, and at once to ravish from them by force, what they could not obtain, or could obtain but slowly, by superior skill and industry.

The careless unambitious temper of Charles rendered him little capable of forming so vast a project as that of engrossing the commerce and naval power of Europe, yet could he not remain altogether insensible to such obvious and such tempting prospects. His genius, happily turned towards mechanics, had inclined him to study naval affairs, which, of all branches of business, he both loved the most and understood the best. Though the Dutch, during his exile, had expressed towards him more civility and friendship, than he had received from any other foreign power, the Louvestein or aristocratic faction, which at this time ruled the commonwealth, had fallen into close union with France, and could that party be subdued, he might hope that his nephew, the young Prince of Orange, would be re-instated in the authority possessed by his ancestors, and would bring the States to a dependence under England. His narrow revenues made it still requisite for him to study the humours of his people, which now ran violently towards war; and it has been suspected, though the suspicion was not justified by the event, that the hopes of diverting some of the supplies to his private use were not overlooked by this necessitous monarch.

The Duke of York, more active and enterprising, pushed more eagerly the war with Holland. He desired an opportunity of distinguishing himself, he loved to cultivate commerce, he was at the head of a new African company, whose trade was extremely checked by the settlements of the Dutch, and perhaps the religious prejudices,

by which that prince was always so much governed, began even so early to instil into him an antipathy against a protestant commonwealth, the bulwark of the reformation. Clarendon and Southampton, observing that the nation was not supported by any foreign alliance, were averse to hostilities, but their credit was now on the decline.

By these concurring motives, the court and parliament were both of them inclined to a Dutch war. The parliament was (May 17) prorogued without voting supplies, but as they had been induced, without any open application from the crown, to pass that vote above-mentioned against the Dutch encroachments, it was reasonably considered as sufficient sanction for the vigorous measures which were resolved on.

Downing, the English minister at the Hague, a man of an insolent impetuous temper, presented a memorial to the States, containing a list of those depredations, of which the English complained. It is remarkable, that all the pretended depredations preceded the year 1662, when a treaty of league and alliance had been renewed with the Dutch, and these complaints were then thought either so ill grounded or so frivolous, that they had not been mentioned in the treaty. Two ships alone, the Bonaventure and the Good-hope, had been claimed by the English, and it was agreed that the claim should be prosecuted by the ordinary course of justice. The States had consigned a sum of money, in case the cause should be decided against them, but the matter was still in dependence. Carey, who was entrusted by the proprietors with the management of the law-suit for the Bonaventure, had resolved to accept of 30,000*l*, which were offered him, but was hindered by Downing, who told him, that the claim was a matter of state between the two nations, not a concern of private persons (Temple, vol. ii. p. 42). These circumstances give us no favourable idea of the justice of the English pretensions.

Charles confined not himself to memorials and remonstrances. Sir Robert Holmes was secretly dispatched with a squadron of 22 ships to the coast of Africa. He not only expelled the Dutch from Cape Coast, to which the English had some pretensions, he likewise seized the Dutch settlements of Cape Verde and the Isle of Gorée, together with several ships trading on that coast. And having sailed to America, he 'possessed himself of Nova Belgia, since called New York,' a territory which James I had given by patent to the Earl of Stirling, but which had never been planted but by the Hollanders. When the States complained of these hostile measures, the king, unwilling to avow what he could not well justify, pretended to be totally ignorant of Holmes's enterprise. He likewise confined that admiral to the Tower; but some time after released him.

The Dutch, finding that their applications for redress were likely to be eluded, and that a ground of quarrel was industriously fought for by the English, began to arm with diligence. They even exerted, with some precipitation, an act of vigour, which hastened on the rupture. Sir John Lawson and De Ruyter had been sent with combined squadrons into the Mediterranean, in order to chastise the piratical States on the coast of Barbary, and the time of their separation and return was now approaching. The States secretly dispatched orders to De

Ruyter, that he should take in provisions at Cadiz; and sailing towards the coast of Guinea, should retaliate on the English, and put the Dutch in possession of those settlements whence Holmes had expelled them. De Ruyter, having a considerable force on board, met with no opposition in Guinea. All the new acquisitions of the English, except Cape Coast, were recovered from them. They were even dispossessed of some old settlements. Such of their ships as fell into his hands were seized by De Ruyter. That Admiral sailed next to America. He attacked Barbadoes, but was repulsed. He afterwards committed hostilities on Long Island.

Meanwhile, the English preparations for war were advancing with vigour and industry. The king had received no supplies from parliament, but by his own funds and credit he was enabled to equip a fleet. The city of London lent him 100,000*l*. the spirit of the nation seconded his armaments. He himself went from port to port, inspecting with great diligence, and encouraging the work. and in a little time the English navy was put in a formidable condition. 800,000*l*. are said to have been expended on this armament. When Lawson arrived, and communicated his suspicion of De Ruyter's enterprise, orders were issued for seizing all Dutch ships, and 135 fell into the hands of the English. These were not declared prizes, till afterwards, when war was proclaimed.

The parliament, when it met, granted (Nov. 24) a supply, the largest by far that had ever been given to a king of England, yet scarcely sufficient for the present undertaking. Near 2,500,000*l*. were voted to be levied by quarterly payments in three years. The avidity of the merchants, together with the great prospect of success, had animated the whole nation against the Dutch.

A great alteration was made this session in the method of taxing the clergy. In almost all the other monarchies of Europe, the assemblies, whose consent was formerly requisite to the enacting of laws, were composed of three estates, the clergy, the nobility, and the commons, which formed so many members of the political body, of which the king was considered as the head. In England too, the parliament was always represented as consisting of three estates; but their separation was never so distinct as in other kingdoms. A convocation, however, had usually sat at the same time with the parliament, though they possessed not a negative voice in the passing of laws, and assumed no other temporal power than that of imposing taxes on the clergy. By reason of ecclesiastical preferments, which he could bestow, the king's influence over the church was more considerable than over the laity, so that the subsidies, granted by the convocation, were commonly greater than those which were voted by parliament. The church, therefore, was not displeased to depart tacitly from the right of taxing herself, and allow the commons to lay impositions on ecclesiastical revenues, as on the rest of the kingdom. In recompense, two subsidies, which the convocation had formerly granted, were remitted, and the parochial clergy were allowed to vote at elections. Thus the church of England made a barter of power for profit. Their convocations, having become insignificant to the crown, have been much disused of late years.

The Dutch saw, with the utmost regret, a war approaching, whence they might dread the most fatal consequences, but which afforded no prospect of advantage. They tried every art of negotiation, before they would come to extremities. Their measures were at that time directed by John de Witt, a minister equally eminent for greatness of mind, for capacity, and for integrity. Though moderate in his private deportment, he knew how to adopt in his public counsels that magnanimity, which suits the minister of a great State. It was ever his maxim, that no independent government should yield to another any evident point of reason or equity, and that all such concessions, so far from preventing war, served to no other purpose than to provoke fresh claims and insults. By his management a spirit of union was preserved in all the provinces, great sums were levied, and a navy was equipped, composed of larger ships than the Dutch had ever built before, and able to cope with the fleet of England.

As soon as certain intelligence arrived of De Ruyter's enterprises, Charles (Feb. 22, 1665) declared war against the States. His fleet, consisting of 114 sail, besides fire-ships and ketches, was commanded by the Duke of York, and under him by Prince Rupert and the Earl of Sandwich. It had about 22,000 men on board. Opdam, who was admiral of the Dutch navy, of nearly equal force, declined not the combat. In the heat of action when (June 3) engaged in close fight with the Duke of York, Opdam's ship blew up. This accident much discouraged the Dutch, who fled towards their own coast. Tromp alone, son of the famous admiral, killed during the former war, bravely sustained with his squadron the efforts of the English, and protected the rear of his countrymen. The vanquished had nineteen ships sunk and taken. The victors lost only one. Sir John Lawson died soon after of his wounds.

It is affirmed, and with an appearance of reason, that this victory might have been rendered more complete, had not orders been issued to slacken sail by Brouncker, one of the duke's bedchamber, who pretended authority from his master. The duke disclaimed the orders; but Brouncker never was sufficiently punished for his temerity.¹ It is allowed, however, that the duke behaved with great bravery during the action. He was long in the thickest of the fire. The Earl of Falmouth, Lord Muskerry, and Mr Boyle, were killed by one shot at his side, and covered him all over with their brains and gore. And it is not likely that in a pursuit, where even persons of inferior station, and of the most cowardly disposition acquire courage, a commander should feel his spirits to flag, and should turn from the back of an enemy, whose face he had not been afraid to encounter.

¹ James, in his *Memoirs* gives an account of this affair different from what we meet with in any historian. He says, that, while he was asleep, Brouncker brought orders to Sir John Harman, captain of the ship, to slacken sail. Sir John remonstrated, but obeyed. After some time, finding that his falling back was likely to produce confusion in the fleet, he hoisted the sail as before, so that the prince coming soon after on the quarter deck, and finding all things as he left them, knew nothing of what had passed during his repose. Nobody gave him the least intimation of it. It was long after, that he heard of it by a kind of accident, and he intended to have punished Brouncker by martial law, but just about that time, the house of commons took up the question and impeached him, which made it impossible for the duke to punish him otherwise than by dismissing him his service. Brouncker, before the house, never pretended, that he had received any orders from the duke.

This disaster threw the Dutch into consternation, and determined De Witt, who was the soul of their councils, to exert his military capacity in order to support the declining courage of his countrymen. He went on board the fleet, which he took under his command, and he soon remedied all those disorders which had been occasioned by the late misfortune. The genius of this man was of the most extensive nature. He quickly became as much master of naval affairs, as if he had from his infancy been educated in them; and he even made improvements in some parts of pilotage and sailing, beyond what men expert in those arts had ever been able to attain.

The misfortunes of the Dutch determined their allies to act for their assistance and support. The king of France was engaged in a defensive alliance with the States; but, as his naval force was yet in its infancy, he was extremely averse at that time from entering into a war with so formidable a power as England. He long tried to mediate a peace between the States, and, for that purpose, sent an embassy to London, which returned without effecting anything. Lord Hollis, the English ambassador at Paris, endeavoured to draw over Lewis to the side of England, and, in his master's name, made him the most tempting offers. Charles was content to abandon all the Spanish Low Countries to the French, without pretending to a foot of ground for himself, provided Lewis would allow him to pursue his advantages against the Dutch (D'Estrades, Dec. 19, 1664). But the French monarch, though the conquest of that valuable territory was the chief object of his ambition, rejected the offer as contrary to his interests; he thought, that if the English had once established an uncontrollable dominion over the sea and over commerce, they would soon be able to render his acquisitions a dear purchase to him. When De Lionne, the French secretary, assured Van Beuninghen, ambassador of the States, that the offer had been pressed on his master during six months, 'I can readily believe it,' replied the Dutchman, 'I am sensible that it is the interest of England' (D'Estrades, Aug. 14, 1665).

Such were the established maxims at that time with regard to the interests of princes. It must, however, be allowed that the politics of Charles, in making this offer, were not a little hazardous. The extreme weakness of Spain would have rendered the French conquests easy and infallible; but the vigour of the Dutch, it might be foreseen, would make the success of the English much more precarious. And even were the naval force of Holland totally annihilated, the acquisition of the Dutch commerce to England could not be relied on as a certain consequence, nor is trade a constant attendant of power, but depends on many other, and some of them very delicate, circumstances.

Though the king of France was resolved to support the Hollanders in that unequal contest, in which they were engaged, yet he protracted his declaration, and employed the time in naval preparations, both in the ocean and the Mediterranean. The king of Denmark, meanwhile, was resolved not to remain an idle spectator of the contest between the maritime powers. The part which he acted was the most extraordinary, he made a secret agreement with Charles to seize all the Dutch ships in his harbours, and to share the spoils with the English,

provided they would assist him in executing this measure. In order to encrease his prey, he perfidiously invited the Dutch to take shelter in his ports, and, accordingly, the East India fleet, very richly laden, had put into Bergen. Sandwich, who now commanded the English navy (the duke having gone ashore), dispatched Sir Thomas Tiddiman with a squadron to attack them, but whether from the king of Denmark's delay in sending orders to the governor, or, what is more probable, from his avidity in endeavouring to engross the whole booty, the English admiral, though he behaved (Aug. 3) with great bravery, failed of his purpose. The Danish governor fired upon him, and the Dutch, having had leisure to fortify themselves, made a gallant resistance.

The king of Denmark, seemingly ashamed of his conduct, concluded with Sir Gilbert Talbot, the English envoy, an offensive alliance against the States, and, at the very same time, his resident at the Hague, by his orders, concluded an offensive alliance against England. To this latter alliance he adhered, probably from jealousy of the encreasing naval power of England, and he seized and confiscated all the English ships in his harbours. This was a sensible check to the advantages which Charles had obtained over the Dutch. Not only a blow was given to the English commerce, the king of Denmark's naval force was also considerable, and threatened every moment a conjunction with the Hollanders. That prince stipulated to assist his ally with a fleet of 30 sail, and he received in return a yearly subsidy of 1,500,000 crowns, of which 300,000 were paid by France.

The king endeavoured to counterbalance these confederacies by acquiring new friends and allies. He had dispatched Sir Richard Fanshawe into Spain, who met with a very cold reception. That monarchy was sunk into a state of weakness, and was menaced with an invasion from France, yet could not any motive prevail with Philip to enter into cordial friendship with England. Charles's alliance with Portugal, the detention of Jamaica and Tangiers, the sale of Dunkirk to the French, all these offences sunk so deep in the mind of the Spanish monarch, that no motive of interest was sufficient to outweigh them.

The bishop of Munster was the only ally that Charles could acquire. This prelate, a man of restless enterprise and ambition, had entertained a violent animosity against the States, and he was easily engaged, by the promise of subsidies from England, to make an incursion on that republic. With a tumultuary army of near 20,000 men, he invaded her territories, and met with weak resistance. The land forces of the States were as feeble and ill-governed, as their fleets were gallant and formidable. But after his committing great ravages in several of the provinces, a stop was put to the progress of this warlike prelate. He had not military skill sufficient to improve the advantages which fortune had put into his hands: the king of France sent a body of 6000 men to oppose him. Subsidies were not regularly remitted him from England, and many of his troops deserted for want of pay. The elector of Brandenburg threatened him with an invasion in his own state, and on the whole, he was glad to conclude a peace under the mediation of France. On the first surmise of

his intentions, Sir William Temple was sent from London with money to fix him in his former alliance, but found, that he arrived too late.

The Dutch, encouraged by all these favourable circumstances, continued resolute to exert themselves to the utmost in their own defence. De Ruyter, their great admiral, was arrived from his expedition to Guinea their Indian fleet was come home in safety their harbours were crowded with merchant ships faction at home was appeased the young Prince of Orange had put himself under the tuition of the States of Holland, and of De Witt, their pensionary, who executed his trust with honour and fidelity. and the animosity, which the Hollanders entertained against the attack of the English, so unprovoked, as they thought it, made them thirst for revenge, and hope for better success in their next enterprize. Such vigour was excited in the common cause, that, in order to man the fleet, all merchant ships were prohibited to sail, and even the fisheries were suspended (Tromp's life, D'Estiades, Feb. 5, 1665)

The English likewise continued in the same disposition, though another more grievous calamity had joined itself to that of war. The plague had (Oct 10) broken out in London and that with such violence as to cut off, in a year, near 90,000 inhabitants. The king was obliged to summon the parliament at Oxford

A good agreement still subsisted between the king and parliament. They, on their part, unanimously voted him the supply demanded, 1,250,000*l.*, to be levied in two years by monthly assessments. And he, to gratify them, passed the five-mile act, which has given occasion to grievous and not unjust complaints. The church, under pretence of guarding monarchy against its inveterate enemies, persevered in the project of wreaking her own enmity against the nonconformists. 'It was enacted, that no dissenting teacher who took not the non-resistance oath above mentioned, should, except upon the road, come within five miles of any corporation, or of any place, where he had preached after the act of oblivion' The penalty was a fine of 50*l.* and six months imprisonment. By ejecting the nonconforming clergy from their churches, and prohibiting all separate congregations, they had been rendered incapable of gaining any livelihood by their spiritual profession. And now, under colour of removing them from places where their influence might be dangerous, an expedient was fallen upon to deprive them of all means of subsistence. Had not the spirit of the nation undergone a change, these violences were preludes to the most furious persecution.

However prevalent the hierarchy, this law did not pass without opposition. Besides several peers, attached to the old parliamentary party, Southampton himself, though Clarendon's great friend, expressed his disapprobation of these measures. But the church party not discouraged with this opposition, introduced into the house of commons a bill for imposing the oath of non-resistance on the whole nation. It was rejected only by three voices. The parliament, after a short session was (Oct. 31) prorogued.

After France had declared war, England was (A.D. 1666) evidently overmatched in force. Yet she possessed this advantage by her situation, that she lay between the fleets of her enemies, and might be

able, by speedy and well-concerted operations, to prevent their junction. But such was the unhappy conduct of her commanders, or such the want of intelligence in her ministers, that this circumstance turned rather to her prejudice. Lewis had given orders to the Duke of Beaufort, his admiral, to sail from Toulon, and the French squadron, under his command, consisting of above 40 sail (D'Estrades, May 21, 1666), was now commonly supposed to be entering the channel. The Dutch fleet, to the number of 76 sail, was at sea, under the command of De Ruyter and Tromp, in order to join him. The Duke of Albemarle and Prince Rupert commanded the English fleet, which exceeded not 74 sail. Albemarle, who, from his successes under the protector, had too much learned to despise the enemy, proposed to detach Prince Rupert with 20 ships, in order to oppose the Duke of Beaufort. Sir George Ayscue, well acquainted with the bravery and conduct of De Ruyter, protested against the temerity of this resolution, but Albemarle's authority prevailed. The remainder of the English set sail to give battle to the Dutch, who, seeing the enemy advance quickly upon them, cut their cables, and prepared for the combat. The battle that ensued, is one of the most memorable that we read of in story, whether we consider its long duration, or the desperate courage with which it was fought. Albemarle made here some atonement by his valour for the rashness of the attempt. No youth, animated by glory and ambitious hopes, could exert himself more than did this man, who was now in the decline of life, and who had reached the summit of honours. We shall not enter minutely into particulars. It will be sufficient to mention the chief events of each day's engagement.

In the first day (June 1), Sir William Berkeley, vice-admiral, leading the van, fell into the thickest of the enemy, was overpowered, and his ship taken. He himself was found dead in his cabin, all covered with blood. The English had the weather-gage of the enemy, but as the wind blew so hard, that they could not use their lower tier, they derived but small advantage from this circumstance. The Dutch shot, however, fell chiefly on their sails and rigging, and few ships were sunk or much damaged. Chain-shot was at that time a new invention; commonly attributed to De Witt. Sir John Harman exerted himself extremely on this day. The Dutch admiral, Evertz, was killed in engaging him. Darkness parted the combatants.

The second day, the wind was somewhat fallen, and the combat became more steady and more terrible. The English now found, that the greatest valour cannot compensate the superiority of numbers, against an enemy who is well conducted, and who is not defective in courage. De Ruyter and Van Tromp, rivals in glory and enemies from faction, exerted themselves in emulation of each other; and De Ruyter had the advantage of disengaging and saving his antagonist, who had been surrounded by the English, and was in the most imminent danger. Sixteen fresh ships joined the Dutch fleet during the action, and the English were so shattered, that their fighting ships were reduced to 28, and they found themselves obliged to retreat towards their own coast. The Dutch followed them, and

were on the point of renewing the combat; when a calm, which came a little before night, prevented the engagement.

Next morning the English were obliged to continue their retreat, and a proper disposition was made for that purpose. The shattered ships were ordered to stretch a-head, and 16 of the most entire followed them in good order, and kept the enemy in awe. Albemarle himself closed the rear, and presented an undaunted countenance to his victorious foes. The Earl of Ossory, son of Ormond, a gallant youth, who sought honour and experience in every action throughout Europe, was then on board with the admiral. Albemarle confessed to him his intention rather to blow up his ship, and perish gloriously, than yield to the enemy. Ossory applauded this desperate resolution.

About two o'clock the Dutch had come up with their enemy, and were ready to renew the fight, when a new fleet was descried from the south, crowding all their sail to reach the scene of action. The Dutch flattered themselves that Beaufort was arrived, to cut off the retreat of the vanquished. The English hoped that Prince Rupert had come, to turn the scale of action. Albemarle, who had received intelligence of the prince's approach, bent his course towards him. Unhappily, Sir George Ayscue, in a ship of 100 guns, the largest in the fleet, struck on the Galloper sands, and could receive no assistance from his friends, who were hastening to join the reinforcement. He could not even reap the consolation of perishing with honour, and revenging his death on his enemies. They were preparing fireships to attack him, and he was obliged to strike. The English sailors, seeing the necessity, with the utmost indignation surrendered themselves prisoners.

Albemarle and Prince Rupert were now determined to face the enemy, and next morning the battle began afresh, with more equal force than ever, and with equal valour. After long cannonading, the fleets came to a close combat, which was continued with great violence till parted by a mist. The English retired first into their harbours.

Though the English, by their obstinate courage, reaped the chief honour in this engagement, it is somewhat uncertain who obtained the victory. The Hollanders took a few ships, and, having some appearances of advantage, expressed their satisfaction by all the signs of triumph and rejoicing. But as the English fleet was repaired in a little time, and put to sea more formidable than ever, together with many of those ships which the Dutch had boasted to have burned or destroyed, all Europe saw that those two brave nations were engaged in a contest which was not likely, on either side, to prove decisive.

It was the conjunction alone of the French that could give a decisive superiority to the Dutch. In order to facilitate this conjunction, De Ruyter, having repaired his fleet, posted himself at the mouth of the Thames. The English, under Prince Rupert and Albemarle, were not long in coming to the attack. The numbers of each fleet amounted to about 80 sail, and the valour and experience of the commanders, as well as of the seamen, rendered the engagement fierce and obstinate. Sir Thomas Allen, who commanded the white squadron of the English (July 25), attacked the Dutch van, which he entirely routed; and he killed the three admirals who commanded it. Van Tromp

engaged Sir Jeremy Smith, and during the heat of action he was separated from De Ruyter and the main body, whether by accident or design was never certainly known. De Ruyter, with conduct and valour, maintained the combat against the main body of the English, and though overpowered by numbers, kept his station till night ended the engagement. Next day, finding the Dutch fleet scattered and discouraged, his high spirit submitted to a retreat, which yet he conducted with such skill as to render it equally honourable to himself as the greatest victory. Full of indignation, however, at yielding the superiority to the enemy, he frequently exclaimed, 'My God! what a wretch am I!' among so many thousand bullets is there not one to 'put an end to my miserable life?' One De Witte, his son-in-law, who stood near, exhorted him, since he sought death, to turn upon the English, and render his life a dear purchase to the victors. But De Ruyter esteemed it more worthy a brave man to persevere to the uttermost, and, as long as possible, to render service to his country. All that night and next day the English pressed upon the rear of the Dutch, and it was chiefly by the redoubled efforts of De Ruyter that the latter saved themselves in their harbours.

The loss sustained by the Hollanders in this action was not very considerable, but as violent animosities had broken out between the two admirals, who engaged all the officers on one side or other, the consternation which took place was great among the provinces. Tromp's commission was at last taken from him, but though several captains had misbehaved, they were so effectually protected by their friends in the magistracy of the towns, that most of them escaped punishment, many were still continued in their commands.

The English now rode incontestible masters of the sea, and insulted the Dutch in their harbours. A detachment under Holmes was sent into the road of Vlissingen, and burned 140 merchantmen, two men of war, together with Blandaris, a large and rich village on the coast. The Dutch merchants, who lost by this enterprise, uniting themselves to the Orange faction, exclaimed against an administration which, they pretended, had brought such disgrace and ruin on the country. None but the firm and intrepid mind of De Witt could have supported itself under such a complication of calamities.

The king of France, apprehensive that the Dutch would sink under their misfortunes, at least, that De Witt, his friend, might be dispossessed of the administration, hastened the advance of the Duke of Beaufort. The Dutch fleet likewise was again equipped, and, under the command of De Ruyter, cruised near the straits of Dover. Prince Rupert with the English navy, now stronger than ever, came full sail upon them. The Dutch admiral thought proper to decline the combat, and retired into St John's road near Boulogne. Here he sheltered himself, both from the English and from a furious storm which arose. Prince Rupert, too, was obliged to retire into St Helens, where he stayed some time in order to repair the damages which he had sustained. Meanwhile the Duke of Beaufort proceeded up the channel, and passed the English fleet unperceived; but he did not find the Dutch, as he expected. De Ruyter had been seized with a fever: many of the chief officers had fallen into sickness. a contagious dis-

temper was spread through the fleet and the States thought it necessary to recall them into their harbours before the enemy could be refitted. The French king, anxious for his navy, which, with so much care and industry, he had lately built, dispatched orders to Beaufort to make the best of his way to Brest. That admiral had again the good fortune to pass the English. One ship alone, the Ruby, fell into the hands of the enemy.

While the war continued without any decisive success on either side a calamity happened (Sept. 3) in London, which threw the people into great consternation. Fire, breaking out in a baker's house, near the bridge, spread itself on all sides with such rapidity that no efforts could extinguish it till it laid in ashes a considerable part of the city. The inhabitants, without being able to provide effectually for their relief, were reduced to be spectators of their own ruin, and were pursued from street to street by the flames, which unexpectedly gathered round them. Three days and nights did the fire advance, and it was only by the blowing up of houses that it was at last extinguished. The king and duke used their utmost endeavours to stop the progress of the flames, but all their industry was unsuccessful. About 400 streets and 13,000 houses were reduced to ashes.

The causes of this calamity were evident. The narrow streets of London, the houses built entirely of wood, the dry season, and a violent east wind which blew, these were so many concurring circumstances, which rendered it easy to assign the reason of the destruction that ensued. But the people were not satisfied with this obvious account. Prompted by blind rage, some ascribed the guilt to the republicans, others to the catholics, though it is not easy to conceive how the burning of London could serve the purposes of either party. As the papists were the chief objects of public detestation, the rumour which threw the guilt on them was more favourably received by the people. No proof, however, or even presumption, after the strictest enquiry by a committee of parliament, ever appeared to authorize such a calumny, yet, in order to give countenance to the popular prejudice, the inscription, engraved by authority on the monument, ascribed this calamity to that hated sect. This clause was erased by order of king James when he came to the throne, but, after the revolution, it was replaced. So credulous, as well as obstinate, are the people in believing everything which flatters their prevailing passion!

The fire of London, though at that time a great calamity, has proved in the issue beneficial both to the city and the kingdom. The city was rebuilt in a very little time; and care was taken to make the streets wider and more regular than before. A discretionary power was assumed by the king to regulate the distribution of the buildings, and to forbid the use of lath and timber, the materials of which the houses were formerly composed. The necessity was so urgent, and the occasion so extraordinary, that no exceptions were taken at an exercise of authority, which otherwise might have been deemed illegal. Had the king been enabled to carry his power still farther, and made the houses be rebuilt with perfect regularity, and entirely upon one plan, he had much contributed to the convenience, as well as embellishment, of the city. Great advantages, however, have resulted from the alterations,

though not carried to the full length London became much more healthy after the fire The plague, which used to break out with great fury twice or thrice every century, and, indeed, was always lurking in some corner or other of the city, has scarcely ever appeared since that calamity

The parliament met soon after, and gave the sanction of the law to those regulations made by royal authority, as well as appointed commissioners for deciding all such questions of property as might arise from the fire They, likewise, voted a supply of 1,800,000*l* to be levied, partly by a poll-bill, partly by assessments Though their enquiry brought out no proofs which could fix on the papists the burning of London, the general aversion against that sect still prevailed, and complaints were made, probably without much foundation, of its dangerous increase Charles, at the desire of the commons, issued a proclamation for the banishment of all priests and jesuits, but the bad execution of this, as well as of former edicts, destroyed all confidence in his sincerity, whenever he pretended an aversion towards the catholic religion Whether suspicions of this nature had diminished the king's popularity is uncertain, but it appears that the supply was voted much later than Charles expected, or even than the public necessities seemed to require The intrigues of the duke of Buckingham, a man who wanted only steadiness to render him extremely dangerous, had somewhat embarrassed the measures of the court, and this was the first time that the king found any considerable reason to complain of a failure of confidence in this house of commons The rising symptoms of ill-humour tended, no doubt, to quicken the steps which were already making towards a peace with foreign enemies

Charles began to be sensible that all the ends for which the war had been undertaken were likely to prove entirely abortive The Dutch, even when single, had defended themselves with vigour, and were every day improving in their military skill and preparations. Though their trade had suffered extremely, their extensive credit enabled them to levy great sums and, while the seamen of England loudly complained of want of pay, the Dutch navy was regularly supplied with money and everything requisite for its subsistence. As two powerful kings now supported them, every place, from the extremity of Norway to the coasts of Bayonne, was become hostile to the English. And Charles, neither fond of action nor stimulated by any violent ambition, earnestly sought for means of restoring tranquillity to his people, disgusted with a war, which, being joined with the plague and fire, had proved so fruitless and destructive

The first advances towards an accommodation were made by England. When the king sent for the body of Sir William Balcley, he insinuated to the States his desire of peace on reasonable terms, and their answer corresponded in the same amicable intentions. Charles, however, to maintain the appearance of superiority, still insisted that the States should treat at London, and they agreed to make him this compliment so far as concerned themselves, but, being engaged in alliance with two crowned heads, they could not, they said, prevail with these to depart in that respect from their dignity. On a sudden the king went so far on the other side as to offer the sending of am-

bassadors to the Hague ; but this proposal, which seemed honourable to the Dutch, was meant only to divide and distract them, by affording the English an opportunity to carry on cabals with the disaffected party. The offer was therefore rejected ; and conferences were secretly held in the queen-mother's apartments at Paris, where the pretensions of both parties were discussed. The Dutch made equitable proposals either that all things should be restored to the same condition in which they stood before the war, or that both parties should continue in possession of their present acquisitions. Charles accepted of the latter proposal, and almost everything was adjusted except the disputes with regard to the isle of Polorone. This island lies in the East Indies, and was formerly valuable for its produce of spices. The English had been masters of it, but were dispossessed at the time when the violences were committed against them at Amboyna. Cromwell had stipulated to have it restored, and the Hollanders, having first entirely destroyed all the spice trees, maintained that they had executed the treaty, but that the English had been anew expelled during the course of the war. Charles renewed his pretensions to this island, and, as the reasons on both sides began to multiply and seemed to require a long discussion, it was agreed to transfer the treaty to some other place, and Charles made choice of Breda.

Lord Hollis and Henry Coventry were the English ambassadors. They immediately desired that a suspension of arms should be agreed to, till the several claims could be adjusted, but this proposal, seemingly so natural, was rejected by the credit of De Witt. That penetrating and active minister, thoroughly acquainted with the characters of princes and the situation of affairs, had discovered an opportunity of striking a blow which might at once restore to the Dutch the honour lost during the war, and severely revenge those injuries, which he ascribed to the wanton ambition and injustice of the English.

Whatever projects might have been formed by Charles for secreting the money granted him by parliament, he had hitherto failed in his intention. The expenses of such vast armaments had exhausted all the supplies,¹ and even a great debt was contracted to the seamen. The king therefore was resolved to save, as far as possible, the last supply of 1,800,000*l.*, and to employ it for payment of his debts, as well those which had been occasioned by the war, as those which he had formerly contracted. He observed, that the Dutch had been with great reluctance forced into the war, and that the events of it were not such as to inspire them with great desire of its continuance. The French, he knew, had been driven into hostilities by no other motive than that of supporting their ally, and were now more desirous than ever of putting an end to the quarrel. The differences between the parties were so inconsiderable, that the conclusion of peace appeared infallible ; and nothing but forms, at least some vain points of honour, seemed to remain for the ambassadors at Breda to discuss. In this

¹ The Dutch had spent on the war near forty millions of livres a year, above three millions sterling. A much greater sum than had been granted by the English parliament (D'Estrades, Dec 24, 1665, 1 i in 1666, Temple, vol 1 p 71). It was probably the want of money which engaged the king to pay the seamen with tickets ; a contrivance which proved so much to their loss.

situation Charles, moved by an ill-timed frugality, remitted his preparations, and exposed England to one of the greatest affronts which it has ever received. Two small squadrons alone were equipped, and during a war with such potent and martial enemies, everything was left almost in the same situation as in times of the most profound tranquillity.

De Witt protracted the negotiations at Breda, and hastened the naval preparations. The Dutch fleet appeared in the Thames under the command of De Ruyter, and threw the English into the utmost consternation. A chain had been drawn across the river Medway; some fortifications had been added to Sheerness and Upnor Castle; but all these preparations were unequal to the present necessity. Sheerness was soon taken, nor could it be saved by the valour of Sir Edward Sprague, who defended it. Having the advantage of a spring tide and an easterly wind, the Dutch pressed on, and broke the chain, though fortified by some ships which had been there sunk by orders of the Duke of Albemarle. They burned the three ships which lay to guard the chain, the *Matthias*, the *Unity*, and the *Charles the Fifth*. After damaging several vessels, and possessing themselves of the hull of the *Royal Charles*, which the English had burned, they advanced with six men-of-war and five fire-ships as far as Upnor Castle, where they burned the *Royal Oak*, the *Loyal London*, and the *Great James*. Captain Douglas, who commanded on board the *Royal Oak*, perished in the flames, though he had an easy opportunity of escaping. 'Never was it known,' he said, 'that a Douglas had left his post without orders' (Temple, vol. ii. p. 41). The Hollanders fell down the Medway without receiving any considerable damage, and it was apprehended that they might next tide sail up the Thames, and extend their hostilities even to the bridge of London. Nine ships were sunk at Woolwich, four at Blackwall; platforms were raised in many places, furnished with artillery; the train-bands were called out; and every place was in a violent agitation. The Dutch sailed next to Portsmouth, where they made a fruitless attempt; they met with no better success at Plymouth; they insulted Harwich; they sailed again upon the Thames as far as Tilbury, where they were repulsed. The whole coast was in alarm, and had the French thought proper at this time to join the Dutch fleet, and to invade England, consequences the most fatal might justly have been apprehended. But Lewis had no intention to push the victory to such extremities. His interest required, that a balance should be kept between the two maritime powers; not that an uncontrolled superiority should be given to either.

Great indignation prevailed amongst the English, to see an enemy, whom they regarded as inferior, whom they had expected totally to subdue, and over whom they had gained many honourable advantages, now of a sudden ride undisputed masters of the ocean, burn their ships in their very harbours, fill every place with confusion, and strike a terror into the capital itself. But though the cause of all these disasters could be ascribed neither to bad fortune, to the misconduct of admirals, nor to the ill-behaviour of seamen, but solely to the avarice, at least to the improvidence, of the government; no dangerous symptoms of discontent appeared, and no attempt for an insurrection was made by

any of those numerous sectaries who had been so openly branded for their rebellious principles, and who upon that supposition had been treated with such severity¹

In the present distress, two expedients were embraced: an army of 12,000 men was suddenly levied, and the parliament, though it lay under prorogation, was summoned to meet. The houses were very thin, and the only vote which the commons passed was an address for breaking the army, which was complied with. This expression of jealousy showed the court what they might expect from that assembly; and it was thought more prudent to prorogue them till next winter.

But the signing (July 10) of the treaty at Breda extricated the king from his present difficulties. The English ambassadors received orders to recede from those demands which, however frivolous in themselves, could not now be relinquished without acknowledging a superiority in the enemy. Polerone remained with the Dutch, satisfaction for the ships Bonaventure and Good-hope, the pretended grounds of the quarrel, was no longer insisted on. Acadie was yielded to the French. The acquisition of New York, a settlement so important by its situation, was the chief advantage which the English reaped from a war in which the national character of bravery had shone out with lustre, but where the misconduct of the government, especially in the conclusion, had been no less apparent.

To appease the people by some sacrifice seemed requisite before the meeting of parliament, and the prejudices of the nation pointed out the victim. The chancellor was at this time much exposed to the hatred of the public, and of every party which divided the nation. All the numerous sectaries regarded him as their determined enemy, and ascribed to his advice and influence those persecuting laws to which they had lately been exposed. The catholics knew that while he retained any authority all their credit with the king and the duke would be entirely useless to them, nor must they ever expect any favour or indulgence. Even the royalists, disappointed in their sanguine hopes of preferment, threw a great load of envy on Clarendon, into whose hands the king seemed at first to have resigned the whole power of government. The sale of Dunkirk, the bad payment of the seamen, the disgrace at Chatham, the unsuccessful conclusion of the war, all these misfortunes were charged on the chancellor, who, though he had ever opposed the rupture with Holland, thought it still his duty to justify what he could not prevent. A building, likewise, of more expense and magnificence than his slender fortune could afford, being unwarily undertaken by him, much exposed him to public reproach, as if he had acquired great riches by corruption. The populace gave it the appellation of Dunkirk House.

The king himself, who had always more revered than loved the chancellor, was now totally estranged from him. Amidst the dissolute manners of the court, that minister still maintained an inflexible dignity, and would not submit to any condescensions, which he deemed unworthy of his age and character. Buckingham, a man of

¹ Some Nonconformists, however, both in Scotland and England, had kept up a correspondence with the States, and had entertained projects for insurrections, but they were too weak even to attempt the execution of them (D'Estrades, Oct. 23, 1665).

profligate morals, happy in his talent for ridicule, but exposed in his own conduct to all the ridicule which he threw on others, still made him the object of his satire, and gradually lessened in the king that regard which he bore to his minister. When any difficulties arose, either for want of power or money, the blame was still thrown on him, who, it is believed, had carefully at the restoration checked all lavish concessions to the king. And what perhaps touched Charles more nearly, he found in Clarendon, it is said, obstacles to his pleasures as well as to his ambition.

The king, disgusted with the homely person of his consort, and desirous of having children, had hearkened to proposals of obtaining a divorce, on pretence either of her being pre-engaged to another, or of having made a vow of chastity before her marriage. He was further stimulated by his passion for Mrs Stuart, daughter of a Scotch gentleman, a lady of great beauty, and whose virtue he had hitherto found impregnable. But Clarendon, apprehensive of the consequences attending a disputed title, and perhaps anxious for the succession of his own grandchildren, engaged the Duke of Richmond to marry Mrs Stuart, and thereby put an end to the king's hopes. It is pretended that Charles never forgave this disappointment.

When politics, therefore, and inclination both concurred to make the king sacrifice Clarendon to popular prejudices, the memory of his past services was not able any longer to delay his fall. The great seal was taken from him, and given to Sir Orlando Bridgeman, by the title of Lord Keeper. Southampton, the treasurer, was now dead, who had persevered to the utmost in his attachments to the chancellor. The last time he appeared at the council-table, he excited his friendship with a vigour which neither age nor infirmities could abate. 'This man,' said he, speaking of Clarendon, 'is a true Protestant, and an honest Englishman, and while he enjoys power we are secure of our laws, liberties, and religion. I dread the consequences of his removal.'

But the fall of the chancellor was not sufficient to gratify the malice of his enemies, his total ruin was resolved on. The Duke of York in vain exerted his interest in behalf of his father-in-law. Both prince and people united in promoting that violent measure; and no means were thought so proper for ingratiating the court with a parliament which had so long been governed by that very minister, who was now to be the victim of their prejudices.

Some popular acts paved the way for the session, and the parliament, in their first address, gave the king thanks for these instances of his goodness, and among the rest they took care to mention his dismissal of Clarendon. The king, in reply, assured the houses that he would never again employ that nobleman in any public office whatsoever. Immediately the charge against him was opened in the house of commons by Mr Seymour, afterwards Sir Edward, and consisted of seventeen articles. The house, without examining particulars, further than hearing general affirmations that all would be proved, immediately voted his impeachment. Many of the articles¹

¹ The articles were, that he had advised the king to govern by military power without parliaments; that he had affirmed the king to be a papist, or popishly affected; that he had

we know to be either false or frivolous; and such of them as we are less acquainted with, we may fairly presume to be no better grounded. His advising the sale of Dunkirk seems the heaviest and truest part of the charge, but a mistake in judgment, allowing it to be such, where there appear no symptoms of corruption or bad intentions, it would be very hard to impute as a crime to any minister. The king's necessities which occasioned that measure cannot, with any appearance of reason, be charged on Clarendon, and chiefly proceeded from the over frugal maxims of the parliament itself, in not granting the proper supplies to the crown.

When the impeachment was carried up to the peers, as it contained an accusation of treason in general, without specifying any particulars, it seemed not a sufficient ground for committing Clarendon to custody. The precedent of Strafford and Laud were not, by reason of the violence of the times, deemed a proper authority, but as the commons still insisted upon his commitment, it was necessary to appoint a free conference between the houses. The lords persevered in their resolution, and the commons voted this conduct to be an obstruction to public justice, and a precedent of evil and dangerous tendency. They also chose a committee to draw up a vindication of their own proceedings.

Clarendon, finding that the popular torrent, united to the violence of power, ran with impetuosity against him, and that a defence, offered to such prejudiced ears, would be entirely ineffectual, thought proper to withdraw. At Calais he wrote a paper addressed to the house of lords. He there said that his fortune, which was but moderate, had been gained entirely by the lawful, avowed profits of his office, and by the voluntary bounty of the king, that during the first years after the restoration he had always concurred with the other counsellors, men of such reputation that no one could entertain suspicions of their wisdom or integrity, that his credit soon declined, and however he might disapprove of some measures, he found it vain to oppose them, that his repugnance to the Dutch war, the source of all the public grievances, was always generally known, as well as his disapprobation of many unhappy steps taken in conducting it, and that whatever pretence might be made of public offences, his real crime, that which had exasperated his powerful enemies, was his frequent opposition to exorbitant grants, which the impotunity of suitors had extorted from his majesty.

received great sums of money for procuring the Canary patent and other illegal patents, that he had advised and procured divers of his majesty's subjects to be imprisoned against law, in remote islands and garrisons, thereby to prevent their having the benefit of the law, that he had procured the customs to be farmed at under rates, that he had received great sums from the Vintners' Company, for allowing them to enhance the price of wines, that he had in a short time gained a greater estate than could have been supposed to arise from the profits of his offices, that he had introduced an arbitrary government into his majesty's plantations, that he had rejected a proposal for the preservation of Nevis and St Christopher's, which was the occasion of great losses in those parts, that when he was in his majesty's service beyond sea he held a correspondence with Cromwell and his accomplices, that he advised the sale of Dunkirk, that he had unduly directed letters patent under the king's seal, that he had unduly decided causes in council which should have been brought before Chancery; that he had issued quo warrantos against corporations, with an intention of squeezing money from them, that he had taken money for passing the bill of settlement in Ireland, that he had betrayed the nation in all foreign treaties, and that he was the principal adviser of dividing the fleet in June, 1666

The lords transmitted this paper to the commons under the appellation of a libel, and by a vote of both houses, it was condemned to be burned by the hands of the hangman. The parliament next proceeded to exert their legislative power against Clarendon, and passed a bill of banishment and incapacity, which received the royal assent. He retired into France, where he lived in a private manner. He survived his banishment six years, and he employed his leisure chiefly in reducing into order the History of the Civil Wars, for which he had before collected materials. The performance does honour to his memory, and, except Whitlocke's Memorials, is the most candid account of those times composed by any contemporary author.

Clarendon was always a friend to the liberty and constitution of his country. At the commencement of the civil wars, he had entered into the late king's service, and was honoured with a great share in the esteem and friendship of that monarch. he was pursued with unrelenting animosity by the Long Parliament. he had shared all the fortunes, and directed all the counsels, of the present king during his exile. he had been advanced to the highest trust and offices after the restoration. yet all these circumstances, which might naturally operate with such force, either on resentment, gratitude, or ambition, had no influence on his uncorrupted mind. It is said, that when he first engaged in the study of the law, his father exhorted him with great earnestness to shun the practice too common in that profession, of straining every point in favour of prerogative, and perverting so useful a science to the oppression of liberty. and in the midst of these rational and virtuous counsels, which he inculcated, he was suddenly seized with an apoplexy, and expired in his son's presence. This circumstance gave additional weight to the principles which he inculcated.

The combination of king and subject to oppress so good a minister affords, to men of opposite dispositions, an equal occasion of inveighing against the ingratitude of princes, or ignorance of the people. Charles seems never to have mitigated his resentment against Clarendon, and the national prejudices pursued him to his retreat in France. A company of English soldiers, being quartered near him, assaulted his house, broke open the doors, gave him a dangerous wound on the head, and would have proceeded to the last extremities, had not their officers, hearing of the violence, happily interposed.

The next expedient, which (A.D. 1668) the king embraced, in order to acquire popularity, is more deserving of praise, and, had it been steadily pursued, would probably have rendered his reign happy, certainly his memory respected. It is the triple alliance of which I speak, a measure, which gave entire satisfaction to the public.

The glory of France, which had long been eclipsed, either by domestic factions or by the superior force of the Spanish monarchy, began now to break out with great lustre, and to engage the attention of the neighbouring nations. The independent power and mutinous spirit of the nobility were subdued. the popular pretensions of the parliament restrained. the Huguenot party reduced to subjection. that extensive and fertile country, enjoying every advantage both of climate and situation, was fully peopled with ingenious and industrious inhabitants. and while the spirit of the nation discovered all the vigour

and bravery requisite for great enterprises, it was tamed to an entire submission under the will of the sovereign.

The sovereign who now filled the throne was well adapted, by his personal character, both to increase and to avail himself of these advantages. Lewis XIV. endowed with every quality which could enchant the people, possessed many which merit the approbation of the wise. The masculine beauty of his person was embellished with a noble air: the dignity of his behaviour was tempered with affability and politeness: elegant without effeminacy, addicted to pleasure without neglecting business, decent in his very vices, and beloved in the midst of arbitrary power, he surpassed all contemporary monarchs, as in grandeur, so likewise in fame and glory.

His ambition, regulated by prudence, not by justice, had carefully provided every means of conquest, and before he put himself in motion, he seemed to have absolutely ensured success. His finances were brought into order: a naval power created, his armies increased and disciplined: magazines and military stores provided: and though the magnificence of his court was supported beyond all former example, so regular was the economy observed, and so willingly did the people, now enriched by arts and commerce, submit to multiplied taxes, that his military force much exceeded what, in any preceding age, had ever been employed by any European monarch.

The sudden decline and almost total fall of the Spanish monarchy, opened an inviting field to so enterprising a prince, and seemed to promise him easy and extensive conquests. The other nations of Europe, feeble or ill-governed, were astonished at the greatness of his rising empire, and all of them cast their eyes towards England, as the only power which could save them from that subjection with which they seemed to be so nearly threatened.

The animosity which had anciently subsisted between the English and French nations, and which had been suspended for above a century by the jealousy of Spanish greatness, began to revive and to exert itself. The glory of preserving the balance of Europe, a glory so much founded on justice and humanity, flattered the ambition of England, and the people were eager to provide for their own future security, by opposing the progress of so hated a rival. The prospect of embracing such measures had contributed, among other reasons, to render the peace of Breda so universally acceptable to the nation. By the death of Philip IV. King of Spain, an inviting opportunity, and some very slender pretences, had been afforded to call forth the ambition of Lewis.

At the treaty of the Pyrenees, when Lewis espoused the Spanish princess, he had renounced every title of succession to every part of the Spanish monarchy, and this renunciation had been couched in the most accurate and most precise terms that language could afford. But, on the death of his father-in-law, he retracted his renunciation, and pretended that natural rights, depending on blood and succession, could not be annihilated by any extorted deed or contract. Philip had left a son, Charles II. of Spain, but as the Queen of France was of a former marriage, she laid claim to a considerable province of the Spanish monarchy, even to the exclusion of her brother. By the

customs of some parts of Brabant, a female of a first marriage was preferred to a male of a second, in the succession to private inheritances, and Lewis thence inferred, that his queen had acquired a right to the dominion of that important duchy.

A claim of this nature was more properly supported by military force than by argument and reasoning. Lewis appeared on the frontiers of the Netherlands with an army of 40,000 men, commanded by the best generals of the age, and provided with everything necessary for action. The Spaniards, though they might have foreseen this measure, were totally unprepared. Their towns, without magazines, fortifications, or garrisons, fell into the hands of the French king, as soon as he presented himself before them. Athé, Lisle, Tournay, Oudenarde, Courtray, Charleroi, Binche, were immediately taken, and it was visible that no force in the Low Countries was able to stop or retard the progress of the French arms.

This measure, executed with such celerity and success, gave great alarm to almost every court in Europe. It had been observed with what dignity, or even haughtiness, Lewis, from the time he began to govern, had ever supported all his rights and pretensions. D'Estrades, the French ambassador, and Watteville, the Spanish, having quarrelled in London, on account of their claims for precedence, the French monarch was not satisfied till Spain sent to Paris a solemn embassy, and promised never more to revive such contests. Cregui, his ambassador at Rome, had met with an affront from the pope's guards, the pope, Alexander VII had been constrained to break his guards, to send his nephew to ask pardon, and to allow a pillar to be erected in Rome itself, as a monument of his own humiliation. The king of England too had experienced the high spirit and unsubmitting temper of Lewis. A pretension to superiority in the English flag having been advanced, the French monarch remonstrated with such vigour, and prepared himself to resist with such courage, that Charles found it more prudent to desist from his vain and antiquated claims. The king of England, said Lewis to his ambassador D'Estrades, may know my force, but he knows not the sentiments of my heart; everything appears to me contemptible in comparison of glory (Jan 25, 1662). These measures of conduct had given strong indications of his character, but the invasion of Flanders discovered an ambition which, being supported by such overgrown power, menaced the general liberties of Europe.

As no state lay nearer the danger, none was seized with more terror than the United Provinces. They were still engaged, together with France, in a war against England, and Lewis had promised them that he would take no step against Spain without previously informing them; but, contrary to this assurance, he kept a total silence, till on the very point of entering upon action. If the renunciation made at the treaty of the Pyrenees was not valid, it was foreseen, that upon the death of the king of Spain, a sickly infant, the whole monarchy would be claimed by Lewis, after which it would be vainly expected to set bounds to his pretensions. Charles, acquainted with these well grounded apprehensions of the Dutch, had been the more obstinate in insisting on his own conditions at Breda; and by delaying to sign the

treaty, had imprudently exposed himself to the signal disgrace which he received at Chatham. De Witt, sensible that a few weeks' delay would be of no consequence in the Low Countries, took this opportunity of striking an important blow, and of finishing the war with honour to himself and to his country.

Negotiations meanwhile commenced for the saving of Flanders; but no resistance was made to the French arms. The Spanish ministers exclaimed everywhere against the flagrant injustice of Lewis's pretensions, and represented it to be the interest of every power in Europe, even more than of Spain itself, to prevent his conquest of the Low Countries. The emperor and the German princes discovered evident symptoms of discontent, but their motions were slow and backward. The States, though terrified at the prospect of having their frontier exposed to so formidable a foe, saw no resource, no means of safety. England indeed seemed disposed to make opposition to the French, but the variable and impolitic conduct of Charles kept that republic from making him any open advances, by which she might lose the friendship of France, without acquiring any new ally. And though Lewis, dreading a combination of all Europe, had offered terms of accommodation, the Dutch apprehended, lest these, either from the obstinacy of the Spaniards or the ambition of the French, should never be carried into execution.

Charles resolved with great prudence to take the first step towards a confederacy. Sir William Temple, his resident at Brussels, received orders to go secretly to the Hague, and to concert with the States the means of saving the Netherlands. This man, whom philosophy had taught to despise the world, without rendering him unfit for it, was frank, open, sincere, superior to the little tricks of vulgar politicians. And meeting in De Witt with a man of the same generous and enlarged sentiments, he immediately opened his master's intentions, and pressed a speedy conclusion. A treaty was from the first negotiated between these two statesmen with the same cordiality, as if it were a private transaction between intimate companions. Deeming the interests of their country the same, they gave full scope to that sympathy of character which disposed them to an entire reliance on each other's professions and engagements. And though jealousy against the house of Orange might inspire De Witt with an aversion to a strict union with England, he generously resolved to sacrifice all private considerations to the public service.

Temple insisted on an offensive league between England and Holland, in order to oblige France to relinquish all her conquests. But De Witt told him, that this measure was too bold and precipitate to be agreed to by the States. He said, that the French were the old and constant allies of the republic, and, till matters came to extremities, she never would deem it prudent to abandon a friendship so well established, and rely entirely on a treaty with England, which had lately waged so cruel a war against her. That ever since the reign of Elizabeth, there had been such a fluctuation in the English councils, that it was not possible, for two years together, to take any sure or certain measures with that kingdom. That though the present ministry, having entered into views so conformable to national interest, promised

greater firmness and constancy, it might still be unsafe, in a business of such consequence, to put entire confidence in them that the French monarch was young, haughty, and powerful, and if treated in so imperious a manner, would expose himself to the greatest extremities rather than submit that it was sufficient, if he could be constrained to adhere to the offers which he himself had already made, and if the remaining provinces of the Low Countries could be thereby saved from the danger, with which they were at present threatened and that the other powers, in Germany and the north of Europe, whose assistance they might expect, would be satisfied with putting a stop to the French conquests, without pretending to recover the places already lost

The English minister was content to accept of the terms proposed by the pensionary. Lewis had offered to relinquish all the queen's rights, on condition either of keeping the conquests which he had made last campaign, or of receiving, in lieu of them, Franche-comté, together with Cambray, Aire, and St Omers De Witt and Temple founded their treaty upon this proposal They agreed to offer their mediation to the contending powers, and oblige France to adhere to this alternative, and Spain to accept of it If Spain refused, they agreed, that France should not prosecute her claim by arms, but leave it entirely to England and Holland to employ force for making the terms effectual. And the remainder of the Low Countries they thenceforth guaranteed to Spain A defensive alliance was likewise concluded between Holland and England.

The articles of this confederacy were soon adjusted by such candid and able negotiators but the greatest difficulty still remained By the constitution of the republic, all the towns in all the provinces must give their consent to every alliance, and besides that this formality could not be dispatched in less than two months, it was justly to be dreaded, that the influence of France would obstruct the passing of the treaty in some of the smaller cities D'Estrades, the French ambassador, a man of abilities, hearing of the league which was on the carpet, treated it lightly, 'Six weeks hence,' said he, 'we shall speak to it' To obviate this difficulty, De Witt had the courage, for the public good, to break through the laws in so fundamental an article; and by his authority, he prevailed with the States General at once (Jan 13) to sign and ratify the league though they acknowledged, that, if that measure should displease their constituents, they risked their heads by this irregularity After sealing, all parties embraced with great cordiality. Temple cried out, 'At Breda, as friends: here, as brothers' And De Witt added, that now the matter was finished, it looked like a miracle

Room had been left in the treaty for the accession of Sweden, which was soon after obtained; and thus was concluded in five days the triple league, an event received with equal surprise and approbation by the world Notwithstanding the unfortunate conclusion of the last war, England now appeared in her proper station, and, by this wise conduct, had recovered all her influence and credit in Europe Temple likewise received great applause, but to all the compliments made him on the occasion, he modestly replied, that to remove things from their

centre, or proper element, required force and labour, but that of themselves they easily returned to it

The French monarch was extremely displeased with this measure. Not only bounds were at present set to his ambition. such a barrier was also raised as seemed for ever impregnable. And though his own offer was made the foundation of the treaty, he had prescribed so short a time for the acceptance of it, that he still expected, from the delays and reluctance of Spain, to find some opportunity of eluding it. The court of Madrid showed equal displeasure. To relinquish any part of the Spanish provinces, in lieu of claims, so apparently unjust, and these urged with such violence and haughtiness, inspired the highest disgust. Often did the Spaniards threaten to abandon entirely the Low Countries rather than submit to so cruel a mortification, and they endeavoured, by this menace, to terrify the mediating powers into more vigorous measures for their support. But Temple and De Witt were better acquainted with the views and interests of Spain. They knew, that she must still retain the Low Countries, as a bond of connexion with the other European powers, who alone, if her young monarch should happen to die without issue, could ensure her independency against the pretensions of France. They still urged, therefore, the terms of the triple league, and threatened Spain with war in case of refusal. The plenipotentiaries of all the powers met at Aix-la-Chapelle. Temple was minister for England, Van Beuningen for Holland, D'Ohna for Sweden.

Spain at last, pressed on all hands, accepted of the alternative offered, but, in her very compliance, she gave strong symptoms of ill-humour and discontent. It had been apparent, that the Hollanders, entirely neglecting the honour of the Spanish monarchy, had been anxious only for their own security, and, provided they could remove Lewis to a distance from their frontier, were more indifferent what progress he made in other places. Sensible of these views, the queen-regent of Spain resolved still to keep them in an anxiety, which might for the future be the foundation of an union more intimate than they were willing at present to enter into. Franche-comté, by a vigorous and well-concerted plan of the French king, had been conquered, in fifteen days, during a rigorous season, and in the midst of winter. She chose, therefore, to recover this province, and to abandon all the towns conquered in Flanders during the last campaign. By this means, Lewis extended his garrisons into the heart of the Low Countries, and a very feeble barrier remained to the Spanish provinces.

But, notwithstanding the advantages of his situation, the French monarch could entertain small hopes of ever extending his conquests on that quarter which lay the most exposed to his ambition, and where his acquisitions were of most importance. The triple league guaranteed the remaining provinces to Spain, and the emperor and other powers of Germany, whose interest seemed to be intimately concerned, were invited to enter into the same confederacy. Spain herself, having, about this time, under the mediation of Charles, made peace on equal terms with Portugal, might be expected to exert more vigour and opposition to her haughty and triumphant rival. The great satisfaction, expressed in England, on account of the counsels now embraced by

the court, promised the hearty concurrence of parliament in every measure which could be proposed for opposition to the grandeur of France. And thus all Europe seemed to repose herself with security under the wings of that powerful confederacy, which had been so happily formed for her protection. It is now time to give some account of the state of affairs in Scotland, and in Ireland.

The Scottish nation, though they had never been subject to the arbitrary power of their prince, had but very imperfect notions of law and liberty, and scarcely in any age had they ever enjoyed an administration which had confined itself within the proper boundaries. By their final union alone with England, their once hated adversary, they have happily attained the experience of a government perfectly regular, and exempt from all violence and injustice. Charles, from his aversion to business, had entrusted the affairs of that country to his ministers, particularly Middleton, and these could not forbear making very extraordinary stretches of authority.

There had been intercepted a letter, written by Lord Lorne to Lord Duffus, in which, a little too plainly, but very truly, he complained, that his enemies had endeavoured by falsehood to prepossess the king against him. But he said, that he had now discovered them, had defeated them, and had gained the person, meaning the Earl of Clarendon, upon whom the chief of them depended. This letter was produced before the parliament, and Loine was tied upon an old, tyrannical, absurd law against 'Leasing-making,' by which it was rendered criminal to belie the subjects to the king, or create in him an ill opinion of them. He was condemned to die, but Charles was much displeased with the sentence, and granted him a pardon (Burnet, p. 149).

It was carried in parliament, that twelve persons, without crime, witness, trial, or accuser, should be declared incapable of all trust or office; and to render this injustice more egregious, it was agreed, that these persons should be named by ballot, a method of voting which several republics had adopted at elections, in order to prevent faction and intrigue, but which could serve only as a cover to malice and iniquity, in the inflicting of punishments. Lauderdale, Crawford, and Sir Rob Murray, among others, were incapacitated. but the king, who disapproved of this injustice, refused his assent (Burnet, p. 152).

An act was passed against all persons, who should move the king for restoring the children of those who were attainted by parliament; an unheard-of restraint on applications for grace and mercy. No penalty was affixed, but the act was but the more violent and tyrannical on that account. The court-lawyers had established it as a maxim, that the assigning of a punishment was a limitation of the crown. 'Whereas a law, forbidding anything, though without a penalty, made the offenders criminal.' And in that case, 'they determined, that the punishment was arbitrary, only that it could not extend to life.' Middleton as a commissioner passed this act; though he had no instructions for that purpose.

An act of indemnity passed, but at the same time it was voted, that all those who had offended during the late disorders should be subjected to fines, and a committee of parliament was appointed for

imposing them. These proceeded without any regard to some equitable rules, which the king had prescribed, to them (Burnet, p. 147). The most obnoxious compounded secretly. No consideration was had, either of men's riches, or of the degrees of their guilt: no proofs were produced. Inquiries were not so much as made: but as fast as information was given in against any man, he was marked down for a particular fine: and all was transacted in a secret committee. When the list was read in parliament, exceptions were made to several: some had been under age during the civil wars, some had been abroad. But it was still replied, that a proper time would come, when every man should be heard in his own defence. The only intention, it was said, of setting the fines was, that such persons should have no benefit by the act of indemnity, unless they paid the sum demanded: everyone that chose to stand upon his innocence, and renounce the benefit of the indemnity, might do it at his peril. It was well known, that no one would dare so far to set at defiance so arbitrary an administration. The king wrote to the council, ordering them to supersede the levying of those fines: but Middleton found means, during some time, to elude these orders (Burnet, p. 201). And at last, the king obliged his ministers to compound for half the sums which had been imposed. In all these transactions, and in most others, which passed during the present reign, we still find the moderating hand of the king, interposed to protect the Scots from the oppressions which their own countrymen, employed in the ministry, were desirous of exercising over them.

But the chief circumstance, whence were derived all the subsequent tyranny and disorders in Scotland, was the execution of the laws for the establishment of episcopacy, a mode of government, to which a great part of the nation had entertained an unsurmountable aversion. The rights of patrons had for some years been abolished, and the power of electing ministers had been vested in the kirk-session and lay-elders. It was now enacted, that all incumbents, who had been admitted upon this title, should receive a presentation from the patron, and should be instituted anew by the bishop, under the penalty of deprivation. The more rigid presbyterians concerted measures among themselves, and refused obedience: they imagined, that their number would protect them. Three hundred and fifty parishes, above a third of the kingdom, were at once declared vacant. The western counties chiefly were obstinate in this particular. New ministers were sought for all over the kingdom, and no one was so ignorant or vicious as to be rejected. The people, who loved extremely and respected their former teachers—men remarkable for the severity of their manners, and their fervour in preaching, were inflamed against these intruders, who had obtained their livings under such invidious circumstances, and who took no care, by the regularity of their manners, to soften the prejudices entertained against them. Even most of those, who retained their livings by compliance, fell under the imputation of hypocrisy, either by their showing a disgust to the new model of ecclesiastical government, which they had acknowledged, or, on the other hand, by declaring that their former abhorrence to presbytery and the covenant had been the result of violence and necessity. And as

Middleton and the new ministry indulged themselves in great riot and disorder, to which the nation had been little accustomed, an opinion universally prevailed, that any form of religion, offered by such hands, must be profane and impious.

The people, notwithstanding their discontents, were resolved to give no handle against them, by the least symptom of mutiny or sedition. but this submissive disposition, instead of procuring a mitigation of the rigours, was made use of as an argument for continuing the same measures, which, by their vigour, it was pretended, had produced so prompt an obedience. The king, however, was disgusted with the violence of Middleton (Burnet, p. 202), and he made Rothes commissioner in his place. This nobleman was already president of the council, and soon after was made lord keeper and treasurer. Lauderdale still continued secretary of state, and commonly resided at London.

Affairs remained in a peaceable state, till the severe law was made in England against conventicles (1664). The Scottish parliament imitated that violence, by passing a like act. A kind of high commission court was appointed by the privy council, for executing this rigorous law, and for the direction of ecclesiastical affairs. But even this court, illegal as it might be deemed, was much preferable to the method next adopted. Military force was let loose by the council. Wherever the people had generally forsaken their churches, the guards were quartered throughout the country. Sir James Turner commanded them, a man whose natural ferocity of temper was often inflamed by the use of strong liquors. He went about, and received from the clergy lists of those who absented themselves from church, or were supposed to frequent conventicles. Without any proof or legal conviction, he demanded a fine from them, and quartered soldiers on the supposed delinquents, till he received payment. As an insurrection was declared during the Dutch war, new forces were levied, and intrusted to the command of Dalziel and Drummond—two officers, who had served the king during the civil wars, and had afterwards engaged in the service of Russia, where they had increased the native cruelty of their disposition. A full career was given to their tyranny by the Scottish ministry. Representations were made to the king against these enormities. He seemed touched with the state of the country, and besides giving orders, that the ecclesiastical commission should be discontinued, he signified his opinion, that another way of proceeding was necessary for his service (Burnet, p. 213).

This lenity of the king's came too late to remedy the disorders. The people, inflamed with bigotry and irritated by ill usage, rose in arms. They were instigated by Guthrie, Semple, and other preachers. They surprised Turner in Dumfries, and resolved to have put him to death; but finding that his orders, which fell into their hands, were more violent than his execution of them, they spared his life. At Lanark, after many prayers, they renewed the covenant, and published their manifesto, in which they professed all submission to the king, they desired only the re-establishment of presbytery and of their former ministers. As many gentlemen of their party had been confined on suspicion, Wallace and Learmont, two officers who had served, but in

no high rank, were entrusted by the populace with the command. Their force never exceeded 2000 men, and though the country in general bore them favour, men's spirits were so subdued, that the rebels could expect no further accession of numbers. Dalziel took the field to oppose their progress. Their number was now diminished to 800; and these, having advanced near Edinburgh, attempted to find their way back into the west by the Pentland Hills. They were attacked by the king's forces (Nov. 28, 1666). Finding that they could not escape, they stopped their march. Their clergy endeavoured to infuse courage into them. After signing some psalms, the rebels turned on the enemy; and being assisted by the advantage of the ground, they received the first charge very resolutely. But that was all the action: immediately they fell into disorder, and fled for their lives. About 40 were killed on the spot, and 130 taken prisoners. The rest, favoured by the night, and by the weariness and even by the pity of the king's troops, made their escape.

The oppressions which these people had suffered, the delusions under which they laboured, and their inoffensive behaviour during the insurrection, made them the objects of compassion: yet were the king's ministers, particularly Sharpe, resolved to take severe vengeance. Ten were hanged on one gibbet at Edinburgh 35 before their own doors in different places. These criminals might all have saved their lives, if they would have renounced the covenant. The executions were going on, when the king put a stop to them. He said, that blood enough had already been shed, and he wrote a letter to the privy-council, in which he ordered, that such of the prisoners as should simply promise to obey the laws for the future, should be set at liberty, and that the incorrigible should be sent to the plantations (Burnet, p. 237). This letter was brought by Burnet, archbishop of Glasgow; but not being immediately delivered to the council by Sharpe, the president (Wodrow's Hist. vol. 1. p. 255), one Maccaill had in the interval been put to the torture, under which he expired. He seemed to die in an ecstasy of joy. 'Farewell sun, moon, and stars, farewell world and time; farewell weak and frail body: welcome eternity, welcome angels and saints, welcome Saviour of the world, and welcome God, the judge of all!' Such were his last words, and these animated speeches he uttered with an accent and manner which struck all the bystanders with astonishment.

The settlement of Ireland, after the restoration, was a work of greater difficulty than that of England, or even of Scotland. Not only the power, during the former usurpations, had there been vested in the king's enemies: the whole property, in a manner, of the kingdom had also been changed; and it became necessary to redress, but with as little violence as possible, many grievous hardships and iniquities which were there complained of.

The Irish catholics had, in 1648, concluded a treaty with Ormond, the king's lieutenant; in which they had stipulated pardon for their past rebellion, and had engaged under certain conditions to assist the royal cause: and though the violence of the priests and the bigotry of the people had prevented, in a great measure, the execution of this treaty, yet were there many, who having strictly, at the hazard of

their lives, adhered to it, seemed on that account well entitled to reap the fruits of their loyalty. Cromwell, having without distinction expelled all the native Irish from the three provinces of Munster, Leinster, and Ulster, had confined them to Connaught and the county of Clare; and among those who had thus been forfeited, were many whose innocence was altogether unquestionable. Several protestants likewise, and Ormond among the rest, had all along opposed the Irish rebellion, yet having afterwards embraced the king's cause against the parliament, they were all of them attainted by Cromwell. And there were many officers who had, from the commencement of the insurrection, served in Ireland, and who, because they would not desert the king, had been refused all their arrears by the English commonwealth.

To all these unhappy sufferers some justice seemed to be due but the difficulty was to find the means of redressing such great and extensive iniquities. Almost all the valuable parts of Ireland had been measured out and divided, either to the adventurers, who had lent money to the parliament for the suppression of the Irish rebellion, or to the soldiers, who had received land in lieu of their arrears. These could not be dispossessed, because they were the most powerful and only armed part of Ireland, because it was requisite to favour them, in order to support the protestant and English interest in that kingdom, and because they had generally, with a seeming zeal and alacrity, concurred in the king's restoration. The king, therefore, issued a proclamation, in which he promised to maintain their settlement, and at the same time engaged to give redress to the innocent sufferers. There was a quantity of land as yet undivided in Ireland, and from this and some other funds, it was thought possible for the king to fulfil both these engagements.

A court of claims was erected, consisting altogether of English commissioners, who had no connection with any of the parties into which Ireland was divided. Before these were laid four thousand claims of persons craving restitution on account of their innocence; and the commissioners had found leisure to examine only six hundred. It already appeared that, if all these were to be restored, the funds, whence the adventurers and soldiers must get reprisals, would fall short of giving them any tolerable satisfaction. A great alarm and anxiety seized all ranks of men: the hopes and fears of every party were excited: these eagerly grasped at recovering their paternal inheritance; those were resolute to maintain their new acquisitions.

The Duke of Ormond was created lord-lieutenant, being the only person whose prudence and equity could compose such jarring interests. A parliament was assembled at Dublin; and as the lower house was almost entirely chosen by the soldiers and adventurers, who still kept possession, it was extremely favourable to that interest. The house of peers showed greater impartiality.

An insurrection was projected, together with a surprisal of the castle of Dublin, by some of the disbanded soldiers; but this design was happily defeated by the vigilance of Ormond. Some of the criminals were punished. Blood, the most desperate of them, escaped into England.

But affairs could not long remain in the confusion and uncertainty into which they had fallen. All parties seemed willing to abate somewhat of their pretensions, in order to attain some stability, and Ormond interposed his authority for that purpose. The soldiers and adventurers agreed to relinquish a third of their possessions, and as they had purchased their lands at very low prices, they had reason to think themselves favoured by this composition. All those who had been attainted on account of their adhering to the king were restored, and some of the innocent Irish. It was a hard situation, that a man was obliged to prove himself innocent in order to recover possession of the estate which he and his ancestors had ever enjoyed, but the hardship was augmented by the difficult conditions annexed to this proof. If the person had ever lived in the quarters of the rebels, he was not admitted to plead his innocence; and he was, for that reason alone, supposed to have been a rebel. The heinous guilt of the Irish nation made men the more readily overlook any iniquity which might fall on individuals, and it was considered that, though it be always the interest of all good government to prevent injustice, it is not always possible to remedy it, after it has had a long course, and has been attended with great successes.

Ireland began to attain a state of some composure when it was disturbed by a violent act, passed by the English parliament, which (in 1666) prohibited the importation of Irish cattle into England. Ormond remonstrated strongly against this law. He said that the present trade carried on between England and Ireland was extremely to the advantage of the former kingdom, which received only provisions, or rude materials, in return for every species of manufacture: that if the cattle of Ireland were prohibited, the inhabitants of that island had no other commodity by which they could pay England for their importations, and must have recourse to other nations for a supply: that the industrious inhabitants of England, if deprived of Irish provisions, which made living cheap, would be obliged to augment the price of labour, and thereby render their manufactures too dear to be exported to foreign markets: that the indolent inhabitants of Ireland, finding provisions fall almost to nothing, would never be induced to labour, but would perpetuate to all generations their native sloth and barbarism: that by cutting off almost entirely the trade between the kingdoms, all the natural bands of union were dissolved, and nothing remained to keep the Irish in their duty but force and violence: and that, by reducing that kingdom to extreme poverty, it would be even rendered incapable of maintaining that military power, by which, during its well-grounded discontents, it must necessarily be retained in subjection.

The king was so much convinced of the justness of these reasons, that he used all his interest to oppose the bill, and he openly declared that he could not give his assent to it with a safe conscience. But the commons were resolute in their purpose. Some of the rents of England had fallen of late years, which had been ascribed entirely to the importation of Irish cattle: several intrigues had contributed to inflame that prejudice, particularly those of Buckingham and Ashley, who were desirous of giving Ormond disturbance in his government:

and the spirit of tyranny, of which nations are as susceptible as individuals, had extremely animated the English to exert their superiority over their dependent state. No affair could be conducted with greater violence than this was by the commons. They even went so far in the preamble of the bill as to declare the importation of Irish cattle to be a 'nuisance'. By this expression they gave scope to their passion, and at the same time barred the king's prerogative, by which he might think himself entitled to dispense with a law so full of injustice and bad policy. The lords expunged the word, but as the king was sensible that no supply would be given by the commons unless they were gratified in their prejudices, he was obliged both to employ his interest with the peers for making the bill pass, and to give the royal assent to it. He could not, however, forbear expressing his displeasure at the jealousy entertained against him, and at the intention which the commons discovered of retrenching his prerogative.

This law brought great distress for some time upon the Irish, but it has occasioned their applying with greater industry to manufactures, and has proved in the issue beneficial to that kingdom.

CHAPTER LXV.

A parliament—The Cabal—Their Characters—Their counsels—Alliance with France—A parliament—Coventry Act—Blood's crimes—The Duke of York declares himself Catholic—Exchequer shut—Declaration of indulgence—Attack of the Smyrna fleet—War declared with Holland—Weakness of the States—Battle of Solebay—Sandwich killed—Progress of the French—Consternation of the Dutch—Prince of Orange Stadtholder—Massacre of the De Witts—Good conduct of the Prince—A parliament—Declaration of indulgence recalled—Sea-fight—Another sea-fight—Another sea-fight—Congress of Cologne—A parliament—Peace with Holland.

SINCE the restoration, England had attained a situation which had never been experienced in any former period of her government, and which seemed the only one that could fully ensue, at once, her tranquillity and her liberty. the king was in continual want of supply from the parliament, and he seemed willing to accommodate himself to that dependent situation. Instead of reviving those claims of prerogative so strenuously insisted on by his predecessors, Charles had strictly confined himself within the limits of law, and had courted, by every art of popularity, the affections of his subjects. Even the severities, however blameable, which he had exercised against non-conformists, are to be considered as the expedients by which he strove to ingratiate himself with the party which predominated in parliament. But notwithstanding these promising appearances, there were many circumstances which kept the government from resting steadily on that bottom on which it was placed. The crown having lost

almost all its ancient demesnes, relied entirely on voluntary grants of the people ; and the commons, not fully accustomed to this new situation, were not yet disposed to supply with sufficient liberality the necessities of the crown. They imitated too strictly the example of their predecessors in a rigid frugality of public money, and neither sufficiently considered the indigent condition of their prince, nor the general state of Europe, where every nation, by its increase both of magnificence and force, had made great additions to all public expenses. Some considerable sums, indeed, were bestowed on Charles, and the patriots of that age, tenacious of ancient maxims, loudly upbraided the commons with prodigality but if we may judge by the example of a later period, when the government has become more regular, and the harmony of its parts has been more happily adjusted, the parliaments of this reign seem rather to have merited a contrary reproach

The natural consequence of the poverty of the crown was, besides feeble irregular transactions in foreign affairs, a continual uncertainty in its domestic administration. No one could answer with any tolerable assurance for the measures of the house of commons. Few of the members were attached to the court by any other band than that of inclination. Royalists indeed in their principles, but unexperienced in business, they lay exposed to every rumour or insinuation, and were driven by momentary gusts of currents, no less than the populace themselves. Even the attempts made to gain an ascendant over them by offices, and, as it is believed, by bribes and pensions, were apt to operate in a manner contrary to what was intended by the ministers. The novelty of the practice conveyed a general, and, indeed, a just alarm, while at the same time the poverty of the crown rendered this influence very limited and very precarious.

The character of Charles was ill-fitted to remedy those defects in the constitution. He acted in the administration of public affairs as if government were a pastime rather than a serious occupation, and by the uncertainty of his conduct he lost that authority which could alone bestow constancy on the fluctuating resolutions of the parliament. His expenses, too, which sometimes perhaps exceeded the proper bounds, were directed more by inclination than by policy, and while they increased his dependence on the parliament, they were not calculated fully to satisfy either the interested or disinterested part of that assembly.

The parliament met (Feb 8, 1668), after a long adjournment, and the king promised himself everything from the attachment of the commons. All his late measures had been calculated to acquire the goodwill of his people, and, above all, the triple league, it was hoped, would be able to efface all the disagreeable impressions left by the unhappy conclusion of the Dutch war. But a new attempt made by the court, and a laudable one too, lost him for a time, the effect of all these endeavours. Buckingham, who was in great favour with the king, and carried on many intrigues among the commons, had also endeavoured to support the connexions of the nonconformists, and he now formed a scheme, in concert with the lord-keeper, Sir Orlando

564 *The case of Skinner and the East India Company.*

Bridgeman, and the chief justice, Sir Matthew Hale, two worthy patriots, to put an end to those seventies under which these religionists had so long laboured. It was proposed to reconcile the presbyterians by a comprehension, and to grant a toleration to the independents and other sectaries. Favour seems not, by this scheme, as by others embraced during the present reign, to have been intended to the catholics, yet were the zealous commons so disgusted, that they could not be prevailed on even to give the king thanks for the triple league, however laudable that measure was then and has ever since been esteemed. They immediately voted an address for a proclamation against conventicles. Their request was complied with, but as the king still dropped some hints of his desire to reconcile his protestant subjects, the commons passed a very unusual vote, that no man should bring into the house any bill of that nature. The king in vain reiterated his solicitations for supply; represented the necessity of equipping a fleet, and even offered that the money which they should grant should be collected and issued for that purpose by commissioners appointed by the house. Instead of complying, the commons voted an inquiry into all the miscarriages during the late war, the slackening of sail after the duke's victory, from false orders delivered by Brounker, the miscarriage at Dergen, the division of the fleet under Prince Rupert and Albemarle, the disgrace at Chatham. Brounker was expelled the house, and ordered to be impeached. Commissioners Pet, who had neglected orders issued for the security of Chatham, met with the same fate. These impeachments were never prosecuted. The house at length, having been indulged in all their prejudices, were prevailed with to vote the king 310,000*l*, by an imposition on wine and other liquors, after which they were adjourned.

Public business, besides being retarded by the disgust of the commons against the tolerating maxims of the court, met with obstructions this session from a quarrel between the two houses. Skinner, a rich merchant in London, having suffered some injuries from the East India Company, laid the matter by petition before the house of lords, by whom he was relieved in costs and damages to the amount of five thousand pounds. The commons voted, that the lords, in taking cognizance of this affair, originally, without any appeal from inferior courts, had acted in a manner not agreeable to the laws of the land, and tending to deprive the subject of the right, ease, and benefit, due to him by these laws, and that Skinner, in prosecuting the suit after this manner, had infringed the privileges of the commons. For which offence they ordered him to be taken into custody. Some conferences ensued between the houses, where the lords were tenacious of their right of judicature, and maintained, that the method in which they had exercised it was quite regular. The commons rose into a great ferment, and went so far as to vote, that 'whoever should be aiding or assisting in putting in execution the order or sentence of the house of lords, in the case of Skinner against the East India Company, should be deemed a betrayer of the rights and liberties of the commons of England, and an infringer of the privileges of the house of commons.' They rightly judged, that it would not be easy, after

this vote, to find anyone who would venture to incur their indignation. The proceedings indeed of the lords seem in this case to have been unusual, and without precedent.

The king's necessities obliged him again to assemble (Oct 9, 1669) the parliament, who showed some disposition to relieve him. The price, however, which he must pay for this indulgence, was his yielding to new laws against conventicles. His complaisance in this particular contributed more to gain the commons, than all the pompous pretences of supporting the triple alliance, that popular measure by which he expected to make such advantage. The quarrel between the two houses was revived, and as the commons had voted only 400,000*l*, with which the king was not satisfied, he thought proper, before they had carried their vote into a law, to prorogue them (Dec 11). The only business finished this short session, was the receiving of the report of the committee appointed for examining the public accounts. On the first inspection of this report, there appears a great sum, no less than a million and a half, unaccounted for, and the natural inference is, that the king had much abused the trust imposed in him by parliament. But a more accurate inspection of particulars serves, in a great measure, to remove this imputation. The king indeed went so far as to tell the parliament from the throne, 'That he had fully informed himself of that matter, and did affirm, that no part of those monies which they had given him had been diverted to other uses, but, on the contrary, besides all those supplies, a very great sum had been raised out of his standing revenue and credit, and a very great debt contracted, and all for the war.' Though artificial pretences have often been employed by kings in their speeches to parliament, and by none more than Charles, it is somewhat difficult to suspect him of a direct lie and falsehood. He must have had some reasons, and perhaps not unplausible ones, for this affirmation, of which all his hearers, as they had the accounts lying before them, were at that time competent judges.¹

The method which all parliaments had hitherto followed, was to vote a particular sum for the supply, without any distinction or any appropriation to particular services. So long as the demands of the crown were small and casual, no great inconveniences arose from this practice. But as all the measures of government were now changed, it must be confessed, that, if the king made a just application of public money, this inaccurate method of proceeding, by exposing him to suspicion, was prejudicial to him. If he were inclined to act otherwise, it was equally hurtful to the people. For these reasons, a con-

¹ The abstract of the report of the Brook House Committee (so that committee was called) was first published by Mr Ralph (vol 1 p 177) from Lord Halifax's collections, to which I refer. If we peruse the apology, which we find in the subsequent page of the same author, we shall find that they acted with some malignity towards the king. They would take notice of no services performed before Sep 1, 1664. But all the king's preparations preceded that date, and, as Chancellor Clarendon told the parliament, amounted to 800,000*l*, and the computation is very probable. This sum, therefore, must be added. The committee likewise charged 700,000*l* to the king on account of the winter and summer guards, saved during two years and ten months that the war lasted. But this seems iniquitous. For though that was an unusual burthen on the revenue which was then saved, would not the diminution of the customs during the war be an equivalent to it? Besides, near 340,000*l* are charged for prize-money, which perhaps the king thought he ought not to account for. These sums exceed the million and a half.

trary practice, during all the late reigns, has constantly been followed by the commons

When the parliament met (Feb 14, 1670), after the prorogation, they entered anew upon the business of supply, and granted the king an additional duty, during eight years, of twelve pounds on each tun of Spanish wine imported, eight on each tun of French. A law also passed empowering him to sell the fee-farm rents, the last remains of the demesnes, by which the ancient kings of England had been supported. By this expedient, he obtained some supply for his present necessities, but left the crown, if possible, still more dependent than before. How much money might be raised by these sales, is uncertain, but it could not be near 1,800,000*l*, the sum assigned by some writers¹

The act against conventicles passed, and received the royal assent. It bears the appearance of mitigating the former persecuting laws, but, if we may judge by the spirit, which had broken out almost every session during this parliament, it was not intended as any favour to the nonconformists. Experience probably had taught, that laws over-rigid and severe could not be executed. By this act the hearer in a conventicle (that is, in a dissenting assembly, where more than five were present, besides the family) was fined five shillings for the first offence, ten for the second, the preacher twenty pounds for the first offence, forty for the second. The person, in whose house the conventicle met, was amerced a like sum with the preacher. One clause is remarkable, that, if any dispute should arise with regard to the interpretation of any part of the act, the judges should always explain the doubt in the sense least favourable to conventicles, it being the intention of parliament entirely to suppress them. Such was the zeal of the commons, that they violated the plainest and most established maxims of civil policy, which require, that, in all criminal prosecutions, favour should always be given to the prisoner.

The affair of Skinner still remained a ground of quarrel between the two houses, but the king prevailed with the peers to accept of the expedient proposed by the commons, that a general pardon should be made of all the transactions with regard to that disputed question.

Some attempts were made by the king to effect a union between England and Scotland, though they were too feeble to remove all the difficulties, which obstructed that useful and important undertaking. Commissioners were appointed to meet, in order to regulate the conditions; but the design, chiefly by the intrigues of Lauderdale, soon after came to nothing.

The king, about this time, began frequently to attend the debates of the house of peers. He said, that they amused him, and that he found them no less entertaining than a play. But deeper designs were suspected. As he seemed to interest himself extremely in the cause of Lord Roos, who had obtained a divorce from his wife on the accusation of adultery, and applied to parliament for leave to marry again, people imagined, that Charles intended to make a precedent of the case, and that some other pretence would be found

¹ Mr Carte, in his 'Vindication of the Answer to the Bystander,' p 99, says that the sale of the fee farm rents would not yield above 100,000*l*, and his reasons appear well founded.

for getting rid of the queen. Many proposals to this purpose, it is said, were made him by Buckingham: but the king, how little scrupulous soever in some respects, was incapable of any action harsh or barbarous, and he always rejected every scheme of this nature. A suspicion, however, of such intentions, it was observed, had, at this time, begotten a coldness between the two royal brothers.

We now come to a period, when the king's counsels, which had hitherto, in the main, been good, though negligent and fluctuating, became, during some time, remarkably bad, or even criminal, and breeding incurable jealousies in all men, were followed by such consequences as had almost terminated in the ruin both of prince and people. Happily, the same negligence still attended him, and, as it had lessened the influence of the good, it also diminished the effect of the bad measures, which he embraced.

It was remarked, that the committee of council, established for foreign affairs, was entirely changed, and that Prince Rupert, the Duke of Ormond, secretary Trevor, and lord-keeper Bridgeman, men in whose honour the nation had great confidence, were never called to any deliberations. The whole secret was entrusted to five persons, Clifford, Ashley, Buckingham, Arlington, and Lauderdale. These men were known by the appellation of 'The Cabal,' a word which the initial letters of their names happened to compose. Never was there a more dangerous ministry in England, nor one more noted for pernicious counsels.

Lord Ashley, soon after known by the name of Earl of Shaftesbury, was one of the most remarkable characters of the age, and the chief spring of all the succeeding movements. During his early youth, he had engaged in the late king's party; but being disgusted with some measures of Prince Maurice, he soon deserted to the parliament. He insinuated himself into the confidence of Cromwell; and as he had great influence with the Presbyterians, he was serviceable in supporting, with his party, the authority of that usurper. He employed the same credit in promoting the restoration, and on that account both deserved and acquired favour with the king. In all his changes, he still maintained the character of never betraying those friends whom he deserted, and whichever party he joined, his great capacity and singular talents soon gained him their confidence, and enabled him to take the lead among them. No station could satisfy his ambition, no fatigues were insuperable to his industry. Well acquainted with the blind attachment of faction, he surmounted all sense of shame and relying on the subtilty of his contrivances, he was not startled with enterprises, the most hazardous and most criminal. His talents, both of public speaking and private insinuation, shone out in an eminent degree; and amidst all his furious passions, he possessed a sound judgment of business, and still more of men. Though fitted by nature for beginning and pushing the greatest undertakings, he was never able to conduct any to a happy period, and his eminent abilities, by reason of his insatiable desires, were equally dangerous to himself, to the prince, and to the people.

The Duke of Buckingham possessed all the advantages, which a graceful person, a high rank, a splendid fortune, and a lively wit could

bestow ; but by his wild conduct, unrestrained either by prudence or principle, he found means to render himself in the end odious and even insignificant. The least interest could make him abandon his honour, the smallest pleasure could seduce him from his interest, the most frivolous caprice was sufficient to counterbalance his pleasure. By his want of secrecy and constancy, he destroyed his character in public life, by his contempt of order and economy, he dissipated his private fortune, by riot and debauchery, he ruined his health, and he remained at last as incapable of doing hurt, as he had ever been little desirous of doing good, to mankind.

The earl, soon after created Duke of Lauderdale, was not defective in natural, and still less in acquired, talents, but neither was his address graceful, nor his understanding just. His principles, or more properly speaking his prejudices, were obstinate, but unable to restrain his ambition. His ambition was still less dangerous than the tyranny and violence of his temper. An implacable enemy, but a lukewarm friend, insolent to his inferiors, but abject to his superiors, though in his whole character and deportment, he was almost diametrically opposite to the king, he had the fortune, beyond any other minister, to maintain, during the greater part of his reign, an ascendant over him.

The talents of parliamentary eloquence and intrigue had raised Sir Thomas Clifford, and his daring impetuous spirit gave him weight in the king's councils. Of the whole cabal, Arlington was the least dangerous, either by his vices or his talents. His judgment was sound, though his capacity was but moderate, and his intentions were good, though he wanted courage and integrity to persevere in them. Together with Temple and Bridgeman, he had been a great promoter of the triple league, but he threw himself, with equal alacrity, into opposite measures, when he found them agreeable to his master. Clifford and he were secretly catholics. Shaftesbury, though addicted to astrology, was reckoned a deist. Buckingham had too little reflection to embrace any steady principles. Lauderdale had long been a bigoted and furious presbyterian, and the opinions of that sect still kept possession of his mind, how little soever they appeared in his conduct.

The dark counsels of the cabal, though from the first they gave anxiety to all men of reflection, were not thoroughly known but by the event. Such seem to have been the views which they, in concurrence with some catholic courtiers, who had the ear of their sovereign, suggested to the king and the duke, and which these princes too greedily embraced. They said, that the parliament, though the spirit of party, for the present, attached them to the crown, were still more attached to those powers and privileges which their predecessors had usurped from the sovereign. That after the first flow of kindness was spent, they had discovered evident symptoms of discontent and would be sure to turn against the king all the authority which they yet retained, and still more those pretensions which it was easy for them in a moment to revive. That they not only kept the king in dependence by means of his precarious revenue, but had never discovered a suitable generosity, even in those temporary supplies which they granted him :

that it was high time for the prince to rouse himself from his lethargy, and to recover that authority which his predecessors, during so many ages, had peaceably enjoyed that the great error or misfortune of his father was the not having formed any close connection with foreign princes, who, on the breaking out of the rebellion, might have found their interest in supporting him that the present alliances, being entered into with so many weaker potentates, who themselves stood in need of the king's protection, could never serve to maintain, much less augment, the royal authority that the French monarch alone, so generous a prince, and by blood so nearly allied to the king, would be found both able and willing, if gratified in his ambition, to defend the common cause of kings against usurping subjects that a war, undertaken against Holland by the united force of two such mighty potentates, would prove an easy enterprise, and would serve all the purposes which were aimed at that, under pretence of that war, it would not be difficult to levy a military force, without which, during the prevalence of republican principles among his subjects, the king would vainly expect to defend his prerogative that his naval power might be maintained, partly by the supplies, which, on other pretences, would previously be obtained from parliament, partly by subsidies from France, partly by captures, which might easily be made on that opulent republic that, in such a situation, attempts to recover the lost authority of the crown would be attended with success; nor would any malcontents dare to resist a prince, fortified by so powerful an alliance; or if they did, they would only draw more certain ruin on themselves and on their cause and that, by subduing the States, a great step would be made towards a reformation of the government; since it was apparent, that that republic, by its fame and grandeur, fortified, in his factious subjects, their attachment to what they vainly termed their civil and religious liberties

These suggestions happened fatally to concur with all the inclinations and prejudices of the king, his desire of more extensive authority, his propensity to the catholic religion, his avidity for money He seems likewise, from the very beginning of his reign, to have entertained great jealousy of his own subjects, and, on that account, a desire of fortifying himself by an intimate alliance with France So early as 1664, he had offered the French monarch to allow him, without opposition, to conquer Flanders, provided that prince would engage to furnish him with 10,000 infantry, and a suitable number of cavalry, in case of any rebellion in England (D'Estrades, July 21, 1667). As no dangerous symptom at that time appeared, we are left to conjecture, from this incident, what opinion Charles had conceived of the factious disposition of his people.

Even during the time when the triple alliance was the most zealously cultivated, the king never seems to have been entirely cordial in those salutary measures, but still to have cast a longing eye towards the French alliance. Clifford, who had much of his confidence, said imprudently, 'Notwithstanding all this joy, we must have a second war with Holland.' The accession of the emperor to that alliance had been refused by England on frivolous pretences And many unfriendly cavils were raised against the States with regard to Surinam and the

conduct of the East India Company¹ But about April, 1669, the strongest symptoms appeared of those fatal measures, which were afterwards more openly pursued

De Witt, at that time, came to Temple, and told him, that he paid him a visit as a friend, not as a minister The occasion was, to acquaint him with a conversation which he had lately had with Puffendorf, the Swedish agent, who had passed by the Hague in the way from Paris to his own country The French ministers, Puffendorf said, had taken much pains to persuade him that the Swedes would very ill find their account in those measures which they had lately embraced that Spain would fail them in all her promises of subsidies, nor would Holland alone be able to support them. that England would certainly fail them, and had already adopted counsels directly opposite to those which by the triple league she had bound herself to pursue and that the resolution was not the less fixed and certain, because the secret was as yet communicated to very few, either in the French or English court When Puffendorf seemed incredulous, Turenne showed him a letter from Colbert de Crossy, the French minister at London, in which, after mentioning the success of his negotiations, and the favourable disposition of the chief ministers there, he added, 'And I have at last made them sensible of the full extent of 'his majesty's bounty' (Temple, vol ii p 179) From this incident it appears, that the infamous practice of selling themselves to foreign princes, a practice which, notwithstanding the malignity of the vulgar, is certainly rare among men in high office, had not been scrupled by Charles's ministers, who even obtained their master's consent to this dishonourable corruption

But while all men of penetration, both abroad and at home, were alarmed with these incidents, the visit which the king received from his sister, the Duchess of Orleans, was the foundation of still stronger suspicions. Lewis, knowing the address and insinuation of that amiable princess, and the great influence which she had gained over her brother, had engaged her to employ all her good offices, in order to detach Charles from the triple league, which, he knew, had fixed such insurmountable barriers to his ambition, and he now sent her to put the last hand to the plan of their conjunct operations. That he might the better cover this negotiation, he pretended to visit his frontiers, particularly the great works which he had undertaken at Dunkirk, and he carried the queen and the whole court along with him. While he remained on the opposite shore, the Duchess of Orleans went (May 16) over to England, and Charles met her at Dover, where they passed ten days together in great mirth and festivity By her artifices and caresses, she prevailed on Charles to relinquish the most settled maxims of honour and policy, and to finish his engagements with Lewis for the destruction of Holland, as well as for the subsequent change of religion in England.

¹ Gourville has said in his 'Memoirs,' vol ii pp 14, 67, that Charles was never sincere in the triple alliance, and that, having entertained a violent animosity against De Witt, he endeavoured by this artifice to detach him from the French alliance, with a view of afterwards finding an opportunity to satiate his vengeance upon him This account, though very little honourable to the king's memory, seems probable from the events, as well as from the authority of the author.

But Lewis well knew Charles's character, and the usual fluctuation of his counsels. In order to fix him in the French interests, he resolved to bind him by the ties of pleasure, the only ones which with him were irresistible; and he made him a present of a French mistress, by whose means he hoped, for the future, to govern him. The Duchess of Orleans brought with her a young lady of the name of Querouaille, whom the king carried to London, and soon after created Duchess of Portsmouth. He was extremely attached to her during the whole course of his life, and she proved a great means of supporting his connections with her native country.

The satisfaction which Charles reaped from his new alliance, received a great check by the death of his sister, and still more by those melancholy circumstances which attended it. Her death was sudden, after a few days' illness, and she was seized with the malady upon drinking a glass of succory water. Strong suspicions of poison arose in the court of France, and were spread all over Europe, and as her husband had discovered many symptoms of jealousy and discontent on account of her conduct, he was universally believed to be the author of the crime. Charles himself, during some time, was entirely convinced of his guilt, but upon receiving the attestation of physicians, who, on opening her body, found no foundation for the general rumour, he was, or pretended to be, satisfied. The Duke of Orleans indeed did never, in any other circumstance of his life, betray such dispositions as might lead him to so criminal an action, and a lady, it is said, drank the remains of the same glass without feeling any inconvenience. The sudden death of princes is commonly accompanied with these dismal surmises, and therefore less weight is in this case to be laid on the suspicions of the public.

Charles, instead of breaking with France upon this incident, took advantage of it to send over Buckingham, under pretence of condoling with the Duke of Orleans, but in reality to concert farther measures for the projected war. Never ambassador received greater caresses. The more destructive the present measures were to the interests of England, the more natural was it for Lewis to load with civilities, and even with favours, those whom he could engage to promote them.

The journey of Buckingham augmented the suspicions in Holland, which every circumstance tended still farther to confirm. Lewis made a sudden irruption into Lorraine, and though he missed seizing the duke himself, who had no surmise of the danger, and who narrowly escaped, he was soon able, without resistance, to make himself master of the whole country. The French monarch was so far unhappy that, though the most tempting opportunities offered themselves, he had not commonly so much as the pretence of equity and justice to cover his ambitious measures. This acquisition of Lorraine ought to have excited the jealousy of the contracting powers in the triple league, as much as an invasion of Flanders itself; yet did Charles turn a deaf ear to all remonstrances made him upon that subject.

But what tended chiefly to open the eyes of De Witt and the States, with regard to the measures of England, was the sudden recall of Sir William Temple. This minister had so firmly established his character of honour and integrity, that he was believed incapable even of obey-

ing his master's commands, in promoting measures which he esteemed pernicious to his country, and so long as he remained in employment, De Witt thought himself assured of the fidelity of England. Charles was so sensible of this prepossession, that he ordered Temple to leave his family at the Hague, and pretended that that minister would immediately return, after having conferred with the king about some business where his negotiation had met with obstructions. De Witt made the Dutch resident inform the English court that he should consider the recall of Temple as an express declaration of a change of measures in England, and should even know what interpretation to put upon any delay of his return.

While these measures were secretly in agitation, the parliament met (Oct. 24) according to adjournment. The king made a short speech, and left the business to be enlarged upon by the keeper. That minister much insisted on the king's great want of supply, the mighty increase of the naval power of France, now triple to what it was before the last war with Holland, the decay of the English navy, the necessity of fitting out next year a fleet of fifty sail, the obligations which the king lay under by several treaties to exert himself for the common good of Christendom. Among other treaties, he mentioned the triple alliance and the defensive league with the States.

The artifice succeeded. The house of commons, entirely satisfied with the king's measures, voted him considerable supplies. A land tax for a year was imposed of a shilling a pound, two shillings a pound on two-thirds of the salaries of offices, fifteen shillings on every hundred pounds of bankers' money and stock, an additional excise upon beer for six years, and certain impositions upon law proceedings for nine years. The parliament had never before been in a more liberal humour, and never so fully was it less misled by the counsels of the king and of his ministers.¹

The commons passed another bill for laying a duty on tobacco, Scotch salt, glasses, and some other commodities. Against this bill the merchants of London appeared by petition before the house of lords. The lords entered into their reasons, and began to make amendments on the bill sent up by the commons. This attempt was

¹ This year, on Jan. 31, died George Monk, Duke of Albemarle, at Newhall, in Essex, after a languishing illness, aged 63. He left a great estate of 15,000*l.* a year in land, and 60,000*l.* in money, acquired by the bounty of the king, and increased by his own frugal duty in his later years. Bishop Burnet, who, agreeably to his own factious spirit, treat this illustrious personage with great malignity, reproaches him with avarice; but as he appears not to have been in the least tainted with rapacity, his frugal conduct may more candidly be imputed to the habits acquired in early life, while he was possessed of a very narrow fortune. It is indeed a singular proof of the strange power of faction, that any malignity should pursue the memory of a nobleman, the tenor of whose life was so unexceptionable, and who, by restoring the ancient and legal free government to three kingdoms, plunged in the most destructive anarchy, may truly be said to be the subject in these islands, who, since the beginning of time, rendered the most durable and most essential services to his native country. The means, also, by which he achieved his great undertakings, were almost entirely exceptionable. His temporary dissimulation, being absolutely necessary, could scarcely be blamable. He had received no trust from that mongrel, pretended, usurping parliament whom he dethroned, therefore could betray none. He even refused to carry his dissimulation so far as to take the oath of abjuration against the king. I confess, however, that the Rev. Dr. Douglas has shown me, from the Clarendon papers, an original letter of his to Sir Arthur Hazelrigg, containing very earnest, and certainly false protestations, of his zeal for a commonwealth. It is to be lamented, that so worthy a man, and of such plain manners, should ever have found it necessary to carry his dissimulation to such a height. His family ended with him.

highly resented by the lower house as an encroachment on the right, which they pretended to possess alone, of granting money to the crown. Many remonstrances passed between the two houses, and by their altercations the king was obliged (April 22) to prorogue the parliament, and he thereby lost the money which was intended him. This is the last time that the peers have revived any pretensions of that nature. Ever since, the privilege of the commons, in all other places, except in the house of peers, has passed for uncontroverted.

There was a private affair, which, during this session, disgusted the house of commons, and required some pains to accommodate it. The usual method of those who opposed the court in the money bills was, if they failed in the main vote, as to the extent of the supply, to levy the money upon such funds as they expected would be unacceptable, or would prove deficient. It was proposed to lay an imposition upon playhouses: the courtiers objected, that the players were the king's servants, and a part of his pleasure. Sir John Coventry, a gentleman of the country party, asked 'whether the king's pleasure lay among the male or the female players?' This stroke of satire was aimed at Charles, who, besides his mistresses of higher quality, entertained at that time two actresses, Davis and Nell Gwyn. The king received not the raillery with the good humour which might have been expected. It was said, that this being the first time that respect to majesty had been publicly violated, it was necessary, by some severe chastisement, to make Coventry an example to all who might incline to tread in his footsteps. Sands, O'Brien, and some other officers of the guards were ordered to way-lay him, and to set a mark upon him. He defended himself with bravery, and after wounding several of the assailants, was disarmed with some difficulty. They cut his nose to the bone, in order, as they said, to teach him what respect he owed to the king. The commons were inflamed by this indignity offered to one of their members, on account of words spoken in the house. They passed a law, which made it capital to maim any person, and they enacted that those criminals who had assaulted Coventry should be incapable of receiving a pardon from the crown.

There was another private affair transacted about this time, by which the king was as much exposed to the imputation of a capricious lenity, as he was here blamed for unnecessary severity. Blood, a disbanded officer of the protector's, had been engaged in the conspiracy for raising an insurrection in Ireland, and on account of this crime he himself had been attainted, and some of his accomplices capitally punished. The daring villain meditated revenge upon Ormond, the lord lieutenant. Having by artifice drawn off the duke's footmen, he attacked his coach in the night-time, as it drove along St James's Street in London; and he made himself master of his person. He might here have finished the crime, had he not meditated refinement in his vengeance. He resolved to hang the duke at Tyburn, and for that purpose bound him, and mounted him on horseback behind one of his companions. They were advanced a good way into the fields, when the duke, making efforts for his liberty, threw himself to the ground, and brought down with him the assassin to whom he was fastened. They were struggling together in the mire, when Ormond's

servants, whom the alarm had reached, came and saved him. Blood and his companions, flung their pistols in a hurry at the duke, rode off, and saved themselves by means of the darkness.

Buckingham was at first, with some appearances of reason, suspected to be the author of this attempt. His profligate character, and his enmity against Ormond, exposed him to that imputation. Ossory soon after came to court, and seeing Buckingham stand by the king, his colour rose, and he could not forbear expressing himself to this purpose, 'My lord, I know well that you are at the bottom of this late attempt upon my father but I give you warning, if by any means he come to a violent end, I shall not be at a loss to know the author. I shall consider you as the assassin, I shall treat you as such, and wherever I meet you I shall pistol you, though you stood behind the king's chair. And I tell it you in his majesty's presence, that you may be sure I shall not fail of performance' (Carte's Ormond, vol. ii p 225). If there was here any indecorum, it was easily excused in a generous youth, when his father's life was exposed to danger.

A little after, Blood formed a design of carrying off the crown and regalia from the Tower, a design to which he was prompted, as well by the surprising boldness of the enterprise, as by the views of profit. He was near succeeding. He had bound and wounded Edwards, the keeper of the jewel-office, and had gotten out of the Tower with his prey; but was overtaken and seized, with some of his associates. One of them was known to have been concerned in the attempt upon Ormond, and Blood was immediately concluded to be the ringleader. When questioned, he frankly avowed the enterprise, but refused to tell his accomplices. 'The fear of death,' he said, 'should never engage him, either to deny a guilt, or betray a friend.' All these extraordinary circumstances made him the general subject of conversation, and the king was moved, by an idle curiosity, to see and speak with a person so noted for his courage and his crimes. Blood might now esteem himself secure of pardon, and he wanted not address to improve the opportunity. He told Charles, that he had been engaged with others, in a design to kill him with a carbine above Battersea, where his majesty often went to bathe. that the cause of this resolution was the severity exercised over the consciences of the godly, in restraining the liberty of their religious assemblies that when he had taken his stand among the reeds, full of these bloody resolutions, he found his heart checked with an awe of majesty, and he not only relented himself, but diverted his associates from their purpose that he had long ago brought himself to an entire indifference about life, which he now gave for lost; yet could he not forbear warning the king of the danger which might attend his execution. that his associates had bound themselves by the strictest oaths to revenge the death of any of the confederacy and that no precaution or power could secure any one from the effects of their desperate resolutions.

Whether these considerations excited fear or admiration in the king, they confirmed his resolution of granting a pardon to Blood; but he thought it a point of decency first to obtain the Duke of Ormond's consent. Arlington came to Ormond in the king's name, and desired that he would not prosecute Blood, for reasons which he was com-

manded to give him. The duke replied, that his majesty's commands were the only reason that could be given, and being sufficient, he might therefore spare the rest. Charles carried his kindness to Blood still farther. he granted him an estate of 500*l.* a year in Ireland; he encouraged his attendance about his person; he showed him great countenance, and many applied to him for promoting their pretensions at court. And while old Edwards, who had bravely ventured his life, and had been wounded, in defending the crown and regalia, was forgotten and neglected, this man, who deserved only to be stared at, and detested as a monster, became a kind of favourite.

Errors of this nature in private life have often as bad an influence as miscarriages, in which the public is more immediately concerned. Another incident happened this year (1671), which infused a general displeasure, and still greater apprehensions, into all men. The Duchess of York died, and in her last sickness, she made open profession of the Romish religion, and finished her life in that communion. This put an end to that thin disguise which the duke had hitherto worn; and he now openly declared his conversion to the church of Rome. Unaccountable terrors of popery, ever since the accession of the house of Stuart, had prevailed throughout the nation; but these had formerly been found so groundless, and had been employed to so many bad purposes, that surmises of this nature were likely to meet with the less credit among all men of sense, and nothing but the duke's imprudent bigotry could have convinced the whole nation of his change of religion. Popery, which had hitherto been only a hideous spectre, was now become a real ground of terror; being openly and zealously embraced by the heir to the crown, a prince of industry and enterprise; while the king himself was not entirely free from like suspicions.

It is probable that the new alliance with France inspired the duke with the courage to make open profession of his religion, and rendered him more careless of the affections and esteem of the English. This alliance became every day more apparent. Temple was declared to be no longer ambassador to the States, and Downing, whom the Dutch regarded as the inveterate enemy of their republic, was sent over in his stead. A ground of quarrel was sought by means of a yacht, dispatched for Lady Temple. The captain sailed through the Dutch fleet, which lay on their own coasts, and he had orders to make them strike, to fire on them, and to persevere till they should return his fire. The Dutch admiral, Van Ghent, surprised at this bravado, came on board the yacht, and expressed his willingness to pay respect to the British flag, according to former practice; but that a fleet, on their own coasts, should strike to a single vessel, and that not a ship of war, was, he said, such an innovation, that he durst not, without express orders, agree to it. The captain, thinking it dangerous, as well as absurd, to renew firing in the midst of the Dutch fleet, continued his course, and, for that neglect of orders, was committed to the Tower.

This incident, however, furnished Downing with a new article to increase those vain pretences, on which it was purposed to ground the intended rupture. The English court delayed several months before they complained, lest, if they had demanded satisfaction more early, the Dutch might have had time to grant it. Even when Downing

576 *War with Holland resolved upon by Charles II*

delivered his memorial, he was bound by his instructions not to accept of any satisfaction after a certain number of days, a very imperious manner of negotiating, and impracticable in Holland, where the forms of the republic render delays absolutely unavoidable. An answer, however, though refused by Downing, was sent over to London, with an ambassador extraordinary, who had orders to use every expedient that might give satisfaction to the court of England. That court replied, that the answer of the Hollanders was ambiguous and obscure, but they would not specify the articles or expressions which were liable to that objection. The Dutch ambassador desired the English ministry to draw the answer in what terms they pleased, and he engaged to sign it. The English ministry replied, that it was not their business to draw papers for the Dutch. The ambassador brought them the draught of an article, and asked them whether it were satisfactory. The English answered, that, when he had signed and delivered it, they would tell him their mind concerning it. The Dutchman resolved to sign it at a venture, and on his demanding a new audience, an hour was appointed for that purpose. But when he attended, the English refused to enter upon business, and told him, that the season for negotiating was now past.¹

Long and frequent prorogations were made (A.D. 1672) of the parliament, lest the houses should declare themselves with vigour against counsels, so opposite to the inclination as well as interest of the public. Could we suppose that Charles, in his alliance against Holland, really meant the good of his people, that measure must pass for an extraordinary, nay, a romantic strain of patriotism, which could lead him, in spite of all difficulties, and even in spite of themselves, to seek the welfare of the nation. But every step, which he took in this affair, became a proof, to all men of penetration, that the present war was intended against the religion and liberties of his own subjects, even more than against the Dutch themselves. He now acted in every thing, as if he were already an absolute monarch, and was never more to lie under the control of national assemblies.

The long prorogations of parliament, if they freed the king from the importunate remonstrances of that assembly, were, however, attended with this inconvenience, that no money could be procured to carry on the military preparations against Holland. Under pretence of maintaining the triple league, which at that very time he had firmly resolved to break, Charles had obtained a large supply from the commons; but this money was soon exhausted by debts and expenses. France had stipulated to pay 200,000*l.* a year during the war, but that supply was inconsiderable, compared to the immense charge of the English navy. It seemed as yet premature to venture on levying money, without consent of parliament, since the power of taxing themselves was the privilege, of which the English were, with reason, particularly jealous. Some other resource must be fallen on. The king had declared, that the staff of treasure was ready for any one that could find an expedient for supplying the present necessities. • Shaftesbury dropped a hint to

¹ England's Appeal, p. 27. This year, on Nov. 22, died in his retreat, aged 60, Thomas Lord Fairfax, who performed many great actions, without being a memorable personage, and allowed himself to be carried into any criminal enterprises, with the best and most upright intentions. His daughter and heir was married to Geo. Villiers, Duke of Buckingham.

Clifford, which the latter immediately seized, and carried to the king, who granted him the promised reward, together with a peerage. This expedient was the shutting up of the Exchequer, and the retaining of all the payments, which should be made into it.

It had been usual for the bankers to carry their money to the Exchequer, and to advance it upon security of the funds, by which they were afterwards re-imbursed, when the money was levied on the public. The bankers, by this traffic, got eight, sometimes ten, per cent for sums which, either had been consigned to them without interest, or which they had borrowed at six per cent profits, which they dearly paid for by this egregious breach of public faith. The measure was so suddenly taken, that none had warning of the danger. A general confusion prevailed in the city, followed by the ruin of many. The bankers stopped payment; the merchants could answer no bills, distrust took place everywhere, with a stagnation of commerce, by which the public was universally affected. And men, full of dismal apprehensions, asked each other, what must be the scope of those mysterious counsels, whence the parliament and all men of honour were excluded, and which commenced by the forfeiture of public credit, and an open violation of the most solemn engagements, foreign and domestic.

Another measure of the court contains something laudable, when considered in itself; but if we reflect on the motive whence it proceeded, as well as the time when it was embraced, it will furnish a strong proof of the arbitrary and dangerous counsels, pursued at present by the king and his ministry. Charles resolved to make use of his supreme power in ecclesiastical matters; a power, he said, which was not only inherent in him, but which had been recognised by several acts of parliament. By virtue of this authority, he (March 15) issued a proclamation; suspending the penal laws enacted against all non-conformists or recusants whatsoever; and granting to the protestant dissenters the public exercise of their religion, to the catholics the exercise of it in private houses. A fruitless experiment of this kind, opposed by the parliament, and retracted by the king, had already been made a few years after the restoration; but Charles expected, that the parliament, whenever it should meet, would now be tamed to greater submission, and would no longer dare to control his measures. Meanwhile, the dissenters, the most inveterate enemies of the court, were mollified by these indulgent maxims and the catholics, under their shelter, enjoyed more liberty than the laws had hitherto allowed them.

At the same time, the act of navigation was suspended by royal will and pleasure a measure, which, though a stretch of prerogative, seemed useful to commerce, while all the seamen were employed on board the royal navy. A like suspension had been granted, during the first Dutch war, and was not much remarked, because men had, at that time, entertained less jealousy of the crown. A proclamation was also issued, containing rigorous clauses in favour of pressing another full of menaces against those who presumed to speak undutifully of his majesty's measures, and even against those who heard such discourse, unless they informed in due time against the offenders: another against importing or vending any sort of painted earthenware,

'except those of China, upon pain of being grievously fined, and 'suffering the utmost punishment which might be lawfully inflicted 'upon contemners of his majesty's royal authority' An army had been levied, and it was found, that discipline could not be enforced without the exercise of martial law, which was therefore established by order of council, though contrary to the petition of right. All these acts of power, how little important soever in themselves, savoured strongly of arbitrary government, and were nowise suitable to that legal administration, which the parliament, after such violent convulsions and civil wars, had hoped to have established in the kingdom.

It may be worth remarking, that the lord-keeper refused to affix the great seal to the declaration for suspending the penal laws, and was for that reason, though under other pretences, removed from his office. Shaftesbury was made chancellor in his place; and thus another member of the Cabal received the reward of his counsels.

Foreign transactions kept pace with these domestic occurrences. An attempt, before the declaration of war, was made on the Dutch Smyrna fleet by Sir Robert Holmes. This fleet consisted of 70 sail, valued at 1,500,000*l*, and the hopes of seizing so rich a prey had been a great motive for engaging Charles in the present war, and he had considered that capture as a principal resource for supporting his military enterprises. Holmes, with nine frigates and three yachts, had orders to go on this command, and he passed Sprague in the channel, who was returning with a squadron from a cruise in the Mediterranean. Sprague informed him of the near approach of the Hollanders, and had not Holmes, from a desire of engrossing the honour and profit of the enterprise, kept the secret of his orders, the conjunction of these squadrons had rendered the success infallible. When Holmes (March 13) approached the Dutch, he put on an amicable appearance, and invited the admiral, Van Ness, who commanded the convoy, to come on board of him. One of his captains gave a like insidious invitation to the rear-admiral. But these officers were on their guard. They had received an intimation of the hostile intentions of the English, and had already put all the ships of war and merchantmen in an excellent posture of defence. Three times were they valiantly assailed by the English, and as often did they valiantly defend themselves. In the third attack one of the Dutch ships of war was taken, and three or four of their most considerable merchantmen fell into the enemies' hands. The rest, fighting with skill and courage, continued their course, and, favoured by a mist, got safe into their own harbours. This attempt is denominated perfidious and piratical by the Dutch writers, and even by many of the English. It merits at least the appellation of irregular, and as it had been attended with bad success, it brought double shame upon the contrivers. The English ministry endeavoured to apologise for the action, by pretending that it was a casual rencounter, arising from the obstinacy of the Dutch, in refusing the honours of the flag; but the contrary was so well known, that even Holmes himself had not the assurance to persist in this asseveration.

Till this incident the States, notwithstanding all the menaces and preparations of the English, never believed them thoroughly in earnest;

and had always expected that the affair would terminate, either in some demands of money, or in some proposals for the advancement of the Prince of Orange. The French themselves had never much reckoned on assistance from England, and scarcely could believe that their ambitious projects would, contrary to every maxim of honour and policy, be forwarded by that power which was most interested, and most able to oppose them. But Charles was too far advanced to retreat. He immediately issued a declaration (March 17) of war against the Dutch; and surely reasons more false and frivolous never were employed to justify a flagrant violation of treaty. Some complaints are there made of injuries done to the East India Company, which yet that Company disavowed: the detention of some English in Surinam is mentioned, though it appears that these persons had voluntarily remained there. The refusal of a Dutch fleet, on their own coasts, to strike to an English yacht, is much aggravated, and to piece up all these pretensions, some abusive pictures are mentioned, and represented as a ground of quarrel. The Dutch were long at a loss what to make of this article, till it was discovered, that a portrait of Cornelius De Witt, brother to the pensionary, painted by order of certain magistrates of Dort, and hung up in a chamber of the town-house, had given occasion to the complaint. In the perspective of this portrait, the painter had drawn some ships on fire in a harbour. This was construed to be Chatham, where De Witt had really distinguished himself, and had acquired honour, but little did he imagine, that, while the insult itself, committed in open war, had so long been forgiven, the picture of it should draw such severe vengeance upon his country. The conclusion of this manifesto, where the king still professed his resolution of adhering to the triple alliance, was of a piece with the rest of it.

Lewis's declaration of war contained more dignity, if undisguised violence and injustice could merit that appellation. He pretended only, that the behaviour of the Hollanders had been such, that it did not consist with his glory any longer to bear it. That monarch's preparations were in great forwardness; and his ambition was flattered with the most promising views of success. Sweden was detached from the triple league. The bishop of Munster was engaged by the payment of subsidies to take part with France. The elector of Cologne had entered into the same alliance, and, having consigned Bonne and other towns into the hands of Lewis, magazines were there erected, and it was from that quarter that France purposed to invade the United Provinces. The standing force of that kingdom amounted to 180,000 men, and with more than half of this great army was the French king now approaching to the Dutch frontiers. The order, economy, and industry of Colbert, equally subservient to the ambition of the prince, and happiness of the people, furnished unexhausted treasures. These, employed by the unrelenting vigilance of Louvois, supplied every military preparation, and facilitated all the enterprises of the army. Condé, Turenne, seconded by Luxembourg, Crequi, and the most renowned generals of the age, conducted this army, and by their conduct and reputation inspired courage into every one. The monarch himself, surrounded with a brave nobility, animated his

troops by the prospect of reward, or, what was more valued, by the hopes of his approbation. The fatigues of war gave no interruption to gaiety its dangers furnished matter for glory and in no enterprise did the genius of that gallant and polite people ever break out with more distinguished lustre.

Though De Witt's intelligence in foreign courts was not equal to the vigilance of his domestic administration, he had, long before, received many surmises of this fatal confederacy, but he prepared not for defence, so early or with such industry, as the danger required. A union of England with France was evidently, he saw, destructive to the interests of the former kingdom, and therefore, overlooking or ignorant of the humours and secret views of Charles, he concluded it impossible, that such pernicious projects could ever really be carried into execution. Secure in this fallacious reasoning, he allowed the republic to remain too long in that defenceless situation, into which many concurring accidents had conspired to throw her.

By a continued and successful application to commerce, the people were become unwarlike, and confided entirely for their defence in that mercenary army, which they maintained. After the treaty of Westphalia, the States, trusting to their peace with Spain, and their alliance with France, had broken a great part of this army, and did not support with sufficient vigilance the discipline of the troops which remained. When the aristocratic party prevailed, it was thought prudent to dismiss many of the old experienced officers, who were devoted to the house of Orange; and their place was supplied by raw youths, the sons or kinsmen of burgomasters, by whose interest the party was supported. These new officers, relying on the credit of their friends and family, neglected their military duty, and some of them, it is said, were even allowed to serve by deputies, to whom they assigned a small part of their pay. During the war with England, all the forces of that nation had been disbanded: Lewis's invasion of Flanders, followed by the triple league, occasioned the dismissal of the French regiments and the place of these troops, which had ever had a chief share in the honour and fortune of all the wars in the Low Countries, had not been supplied by any new levies.

De Witt, sensible of this dangerous situation, and alarmed by the reports which came from all quarters, exerted himself to supply those defects, to which it was not easy of a sudden to provide a suitable remedy. But every proposal, which he could make, met with opposition from the Orange party, now become extremely formidable. The long and uncontrolled administration of this statesman had begotten envy the present incidents roused up his enemies and opponents, who ascribed to his misconduct alone the bad situation of the republic; and, above all the popular affection to the young prince, which had so long been held in violent constraint, and had thence acquired new accessions of force, began to display itself, and to threaten the commonwealth with some great convulsion. William III Prince of Orange, was in the twenty-second year of his age, and gave strong indications of those great qualities, by which his life was afterwards so much distinguished. De Witt himself, by giving him an excellent education, and instructing him in all the principles of government and

sound policy, had generously contributed to make his rival formidable. Dreading the precarious situation of his own party, he was always resolved, he said, by conveying to the prince the knowledge of affairs, to render him capable of serving his country, if any future emergence should ever throw the administration into his hands. The conduct of William had hitherto been extremely laudable. Notwithstanding his powerful alliances with England and Brandenburg, he had expressed his resolution of depending entirely on the States for his advancement, and the whole tenor of his behaviour suited extremely the genius of that people. Silent and thoughtful, given to hear and to enquire, of a sound and steady understanding, firm in what he once resolved, or once denied; strongly intent on business, little on pleasure by these virtues he engaged the attention of all men. And the people, sensible that they owed their liberty, and very existence to his family, and remembering, that his great uncle, Maurice, had been able, even in more early youth, to defend them against the exorbitant power of Spain, were desirous of raising this prince to all the authority of his ancestors, and hoped, from his valour and conduct alone, to receive protection against those imminent dangers with which they were at present threatened.

While these two powerful factions struggled for superiority, every scheme for defence was opposed, every project retarded. What was determined with difficulty, was executed without vigour. Levies indeed were made, and the army completed to 70,000 men (Temple, vol. i. p. 75). The prince was appointed both general and admiral of the commonwealth, and the whole military power was put into his hands. But new troops could not of a sudden acquire discipline and experience, and the partisans of the prince were still unsatisfied, as long as the 'perpetual edict,' so it was called, remained in force; by which he was excluded from the stadtholdership, and from all share in the civil administration.

It had always been the maxim of De Witt's party to cultivate naval affairs with extreme care, and to give the fleet a preference above the army, which they represented as the object of an unreasonable partiality in the princes of Orange. The two violent wars, which had of late been waged with England, had exercised the valour, and improved the skill of the sailors. And, above all, De Ruyter, the greatest sea commander of the age, was closely connected with the Louvestein party, and every one was disposed, with confidence and alacrity, to obey him. The equipment of the fleet was therefore hastened by De Witt, in hopes that, by striking at first a successful blow, he might inspire courage into the dismayed States, and support his own declining authority. He seems to have been, in a peculiar manner, incensed against the English, and he resolved to take revenge on them for their conduct, of which, he thought, he himself and his country had such reason to complain. By the offer of a close alliance for mutual defence, they had seduced the republic to quit the alliance of France; but no sooner had she embraced these measures, than they formed leagues for her destruction, with that very power, which they had treacherously engaged her to offend. In the midst of full peace, nay, during an intimate union, they attacked her commerce, her only means

of subsistence; and, moved by shameful rapacity, had invaded that property, which, from a reliance on their faith, they had hoped to find unprotected and defenceless. Contrary to their own manifest interest, as well as to their honour, they still retained a malignant resentment for her successful conclusion of the former war, a war, which had, at first, sprung from their own wanton insolence and ambition. To repress so dangerous an enemy, would, De Witt imagined, give peculiar pleasure, and contribute to the future security of his country, whose prosperity was so much the object of general envy.

Actuated by like motives and views, De Ruyter put to sea with a formidable fleet, consisting of 91 ships of war and 44 fire-ships. Cornelius De Witt was on board, as deputy from the States. They sailed in quest of the English, who were under the command of the Duke of York, and who had already joined the French under Mareschal d'Etrées. The combined fleets lay at Solebay in a very negligent posture, and Sandwich, being an experienced officer, had given the duke warning of the danger, but received, it is said, such an answer as intimated, that there was more of caution than of courage in his apprehensions. Upon the appearance (May 28, 1672) of the enemy, every one ran to his post with precipitation, and many ships were obliged to cut their cables, in order to be in readiness. Sandwich commanded the van, and though determined to conquer or to perish, he so tempered his courage with prudence, that the whole fleet was visibly indebted to him for its safety. He hastened out of the bay, where it had been easy for De Ruyter with his fire-ships to have destroyed the combined fleets, which were crowded together, and by this wise measure he gave time to the Duke of York, who commanded the main body, and to Mareschal d'Etrées, admiral of the rear, to disengage themselves. He himself meanwhile rushed into battle with the Hollanders, and by presenting himself to every danger, had drawn upon him all the bravest of the enemy. He killed Van Ghent, a Dutch admiral, and beat off his ship, he sunk another ship, which ventured to lay him aboard, he sunk three fire-ships, which endeavoured to grapple with him; and though his vessel was torn in pieces with shot, and of 1000 men she contained, near 600 were laid dead upon the deck, he continued still to thunder with all his artillery in the midst of the enemy. 'Tis another fire-ship, more fortunate than the preceding, having laid hold of his vessel, her destruction was now inevitable. Warned by Sir Edward Haddock, his captain, he refused to make his escape, and bravely embraced death as a shelter from that ignominy, which a rash expression of the duke's, he thought, had thrown upon him.

During this fierce engagement with Sandwich, De Ruyter remained not inactive. He attacked the Duke of York, and fought him with such fury for above two hours, that of two and thirty actions, in which that admiral had been engaged, he declared this combat to be the most obstinately disputed. The duke's ship was so shattered, that he was obliged to leave her, and remove his flag to another. His squadron was overpowered with numbers, till Sir Joseph Jordan, who had succeeded to Sandwich's command, came to his assistance. and the fight, being more equally balanced, was continued till night, when the

Dutch retired, and were not followed by the English. The loss sustained by the fleets of the two maritime powers was nearly equal, if it did not rather fall more heavy on the English. The French suffered very little, because they had scarcely been engaged in the action, and as this backwardness is not their national character, it was concluded that they had received secret orders to spare their ships, while the Dutch and English should weaken each other by their mutual animosity. Almost all the other actions during the present war tended to confirm this suspicion.

It might be deemed honourable for the Dutch to have fought with some advantage the combined fleets of two such powerful nations, but nothing less than a complete victory could serve the purpose of De Witt, or save his country from those calamities, which from every quarter threatened to overwhelm her. He had expected, that the French would make their attack on the side of Maestricht, which was well fortified, and provided with a good garrison; but Lewis, taking advantage of his alliance with Cologne, resolved to invade the enemy on that frontier, which he knew to be more feeble and defenceless. The armies of that elector, and those of Munster, appeared on the other side of the Rhine, and divided the force and attention of the States. The Dutch troops, too weak to defend so extensive a frontier, were scattered into so many towns, that no considerable body remained in the field, and a strong garrison was scarcely to be found in any fortress. Lewis (May 14) passed the Meuse at Viset, and laying siege to Orsoy, a town of the elector of Brandenburg's but garrisoned by the Dutch, he carried it in three days. He divided his army, and invested at once Buick, Wesel, Emerick, and Rhinberg, four places regularly fortified, and not unprovided with troops. In a few days all these places were surrendered. A general astonishment had seized the Hollanders, from the combination of such powerful princes against the republic, and no where was resistance made, suitable to the ancient glory or present greatness of the state. Governors without experience commanded troops without discipline, and despair had universally extinguished that sense of honour, by which alone, men, in such dangerous extremities, can be animated to a valorous defence.

Lewis advanced to the banks of the Rhine, which (June 2) he prepared to pass. To all the other calamities of the Dutch was added the extreme drought of the season, by which the greatest rivers were much diminished, and in some places rendered fordable. The French cavalry, animated by the presence of their prince, full of impetuous courage, but ranged in exact order, flung themselves into the river: the infantry passed in boats. A few regiments of Dutch appeared on the other side, who were unable to make resistance. And thus was executed without danger, but not without glory, the passage of the Rhine; so much celebrated, at that time, by the flattery of the French courtiers, and transmitted to posterity by the more durable flattery of their poets.

Each success added courage to the conquerors, and struck the vanquished with dismay. The Prince of Orange, though prudent beyond his age, was but newly advanced to the command, unacquainted with the army, unknown to them, and all men, by reason of the violent

factions which prevailed, were uncertain of the authority on which they must depend. It was expected that the fort of Skenk, famous for the sieges which it had formerly sustained, would make some resistance, but it yielded to Turenne in a few days. The same general made himself master of Ainhem, Knotzenbourg, and Nimeguen, as soon as he appeared before them. Doesburg at the same time opened its gates to Lewis. soon after, Hardevick, Amersfort, Campen, Rhene, Vianen, Elberg, Zwoll, Cuylernberg, Wageningen, Lochem, Woerden fell into the enemies' hands. Groll and Deventer surrendered to the Maréchal Luxembourg, who commanded the troops of Munster. And every hour brought to the States news of the rapid progress of the French, and of the cowardly defence of their own garrisons.

The Prince of Orange, with his small and discouraged army, retired into the province of Holland, where he expected, from the natural strength of the country, since all human art and courage failed, to be able to make some resistance. The town and province of Utrecht sent deputies, and surrendered themselves to Lewis. Naerden, a place within three leagues of Amsterdam, was seized by the Marquis of Rochfort, and had he pushed on to Muiden, he had easily gotten possession of it. Fourteen stragglers of his army having appeared before the gates of that town, the magistrates sent them the keys, but a servant-maid, who was alone in the castle, having raised the drawbridge, kept them from taking possession of that fortress. The magistrates afterwards, finding the party so weak, made them drunk, and took the keys from them. Muiden is so near to Amsterdam that its cannon may infest the ships which enter that city.

Lewis, with a splendid court, made (June 25) a solemn entry into Utrecht, full of glory, because everywhere attended with success; though more owing to the cowardice and misconduct of his enemies, than to his own valour or prudence. Three provinces were already in his hands, Guelderland, Overijssel, and Utrecht; Groningen was threatened, Friesland was exposed. the only difficulty lay in Holland and Zealand; and the monarch deliberated concerning the proper measures for reducing them. Condé and Turenne exhorted him to dismantle all the towns which he had taken, except a few, and fortifying his main army by the garrisons, put himself in a condition of pushing his conquests. Louvois, hoping that the other provinces, weak and dismayed, would prove an easy prey, advised him to keep possession of places which might afterwards serve to retain the people in subjection. His counsel was followed, though it was found, soon after, to have been the most impolitic.

Meanwhile the people throughout the republic, instead of collecting a noble indignation against the haughty conqueror, discharged their rage upon their own unhappy minister, on whose prudence and integrity every one formerly bestowed the merited applause. The bad condition of the armies was laid to his charge. the ill-choice of governors was ascribed to his partiality. as instances of cowardice multiplied, treachery was suspected, and his former connections with France being remembered, the populace believed that he and his partizans had now combined to betray them to their most mortal enemy. The Prince of Orange, notwithstanding his youth and inexperience,

was looked on as the only saviour of the State, and men were violently driven by their fears into his party, to which they had always been led by favour and inclination.

Amsterdam alone seemed to retain some courage, and by forming a regular plan of defence, endeavoured to infuse spirit into the other cities. The magistrates obliged the burgesses to keep a strict watch: the populace, whom want of employment might engage to mutiny, were maintained by regular pay, and aimed for the defence of the public. Some ships, which lay useless in the harbour, were refitted, and stationed to guard the city and the sluices being opened, the neighbouring country, without regard to the damage sustained, was laid under water. All the province followed the example, and scrupled not, in this extremity, to restore to the sea those fertile fields which, with great art and expense, had been won from it.

The States were assembled to consider whether any means were left to save the remains of their lately flourishing, and now distressed, Commonwealth. Though they were surrounded with waters, which barred all access to the enemy, their deliberations were not conducted with that tranquillity which could alone suggest measures proper to extricate them from their present difficulties. The nobles gave their vote that, provided their religion, liberty, and sovereignty could be saved, everything else should without scruple be sacrificed to the conqueror. Eleven towns concurred in the same sentiments. Amsterdam singly declared against all treaty with insolent and triumphant enemies. but notwithstanding that opposition, ambassadors were despatched to implore the pity of the two combined monarchs. It was resolved to sacrifice to Lewis, Maestricht and all the frontier towns which lay without the bounds of the seven provinces, and to pay him a large sum for the charges of the war.

Lewis deliberated with his ministers Louvois and Pomponne, concerning the measures which he should embrace in the present emergency, and fortunately for Europe, he still preferred the violent counsels of the former. He offered to evacuate his conquests, on condition that all duties lately imposed on the commodities of France should be taken off, that the public exercise of the Romish religion should be permitted in the United Provinces, the churches shared with the catholics, and their priests maintained by appointments from the States: that all the frontier towns of the republic should be yielded to him, together with Nimeguen, Skenk, Knotzenbourg, and that part of Guelderland which lay on the other side of the Rhine; as likewise the Isle of Bommel, that of Voorn, the fortress of St. Andrew, those of Louvestein and Crevœu: that the States should pay him the sum of twenty millions of livres for the charges of the war: that they should every year send him a solemn embassy, and present him with a golden medal, as an acknowledgment, that they owed to him the preservation of that liberty, which, by the assistance of his predecessors, they had formerly acquired: and that they should give entire satisfaction to the king of England: and he allowed them but ten days for the acceptance of these demands.

The ambassadors, sent to London, met with still worse reception: no minister was allowed to treat with them, and they were retained in

a kind of confinement. But, notwithstanding this rigorous conduct of the court, the presence of the Dutch ambassadors excited the sentiments of tender compassion, and even indignation, among the people in general, especially among those who could foresee the aim and result of those dangerous counsels. The two most powerful monarchs, they said, in Europe, the one by land, the other by sea, have, contrary to the faith of solemn treaties, combined to exterminate an illustrious republic: what a dismal prospect does their success afford to the neighbours of the one, and to the subjects of the other? Charles had formed the triple league, in order to restrain the power of France: a sure proof, that he does not now err from ignorance. He had courted and obtained the applauses of his people by that wise measure: as he now adopts contrary counsels, he must surely expect by their means to render himself independent of his people, whose sentiments are become so indifferent to him. During the entire submission of the nation, and dutiful behaviour of the parliament, dangerous projects, without provocation, are formed to reduce them to subjection, and all the foreign interests of the people are sacrificed in order the more surely to bereave them of their domestic liberties. Lest any instance of freedom should remain within their view, the United Provinces, the real barrier of England, must be abandoned to the most dangerous enemy of England, and by an universal combination of tyranny against laws and liberty, all mankind, who have retained, in any degree, their precious, though hitherto precarious, but rights, are for ever to submit to slavery and injustice.

Though the fear of giving umbrage to his confederate had engaged Charles to treat the Dutch ambassadors with such rigour, he was not altogether without uneasiness, on account of the rapid and unexpected progress of the French arms. Were Holland entirely conquered, its whole commerce and naval force, he perceived, must become an accession to France, the Spanish Low Countries must soon follow; and Lewis, now independent of his ally, would no longer think it his interest to support him against his discontented subjects. Charles, though he never carried his attention to very distant consequences, could not but foresee these obvious events, and, though incapable of envy or jealousy, he was touched with anxiety, when he found every thing yield to the French arms, while such vigorous resistance was made to his own. He soon dismissed the Dutch ambassadors, lest they should cabal among his subjects, who bore them great favour: but he sent over Buckingham and Arlington, and soon after Lord Halifax, to negotiate anew with the French king in the present precarious situation of that monarch's affairs.

These ministers passed through Holland, and as they were supposed to bring peace to the distressed republic, they were everywhere received with the loudest acclamations: 'God bless the King of England! God bless the Prince of Orange!' Confusion to the 'States!' This was everywhere the cry of the populace. The ambassadors had several conferences with the States and the Prince of Orange: but made no reasonable advances towards an accommodation. They went to Utrecht, where they renewed the league with Lewis, and agreed, that neither of the kings should make peace with

Holland but by common consent They next gave their pretensions, of which the following are the principal articles. that the Dutch should give up the honour of the flag, without the least reserve or limitation, nor should whole fleets, even on the coast of Holland, refuse to strike or lower their topsails to the smallest ship, carrying the British flag that all persons guilty of treason against the king, or of writing seditious libels, should, on complaint, be banished for ever the dominions of the States that the Dutch should pay the king a million sterling towards the charges of the war, together with 10,000*l.* a-year, for permission to fish on the British seas that they should share the Indian trade with the English that the Prince of Orange and his descendants should enjoy the sovereignty of the United Provinces, at least, that they should be invested with the dignities of Stadtholder, Admiral, and General, in as ample a manner as had ever been enjoyed by any of his ancestors and that the Isle of Walcheren, the city and castle of Sluys, together with the isles of Cadsant, Gorée, and Vourn, should be put into the king's hands, as a security for the performance of articles

The terms proposed by Lewis bereaved the republic of all security against any invasion by land from France those demanded by Charles exposed them equally to an invasion by sea from England and when both were united, they appeared absolutely intolerable, and reduced the Hollanders, who saw no means of defence, to the utmost despair What extremely augmented their distress, were the violent factions with which they continued to be everywhere agitated. De Witt, too pertinacious in defence of his own system of liberty, while the very being of the Commonwealth was threatened, still persevered in opposing the repeal of the perpetual edict, now become the object of horror to the Dutch populace Their rage at last broke all bounds, and bore everything before it They (June 30) rose in an insurrection at Dort, and by force constrained the burgomasters to sign the repeal, so much demanded This proved the signal of a general revolt throughout all the provinces

At Amsterdam, the Hague, Middlebourg, Rotterdam, the people flew to arms, and, trampling under foot the authority of their magistrates, obliged them to submit to the Prince of Orange They expelled from their office such as displeased them they required the prince to appoint others in their place and agreeably to the proceeding of the populace in all ages, provided they might wreak their vengeance on their superiors, they expressed great indifference for the protection of their civil liberties

The superior talents and virtues of De Witt made him, on this occasion, the chief object of envy, and exposed him to the utmost rage of popular prejudice Four assassins, actuated by no other motive than mistaken zeal, had assaulted him in the streets, and after giving him many wounds, had left him for dead. One of them was punished the others were never questioned for the crime His brother Cornelius, who had behaved with prudence and courage on board the fleet, was obliged by sickness to come ashore, and he was now confined to his house at Dort Some assassins broke in upon him, and it was with the utmost difficulty that his family and servants could repel their

violence. At Amsterdam, the house of the brave De Ruyter, the sole resource of the distressed Commonwealth, was surrounded by the enraged populace, and his wife and children were for some time exposed to the most imminent danger.

One Tichelaer, a barber, a man noted for infamy, accused Cornelius De Witt of endeavouring by bribes to engage him in the design of poisoning the Prince of Orange. The accusation, though attended with the most improbable and even absurd circumstances, was greedily received by the credulous multitude, and Cornelius was cited before a court of judicature. The judges, either blinded by the same prejudices or not daring to oppose the popular torrent, condemned him to suffer the question. The man, who had bravely served his country in war, and who had been invested with the highest dignities, was delivered into the hands of the executioner, and torn in pieces by the most inhuman torments. Amidst the severe agonies which he endured, he still made protestations of his innocence, and frequently repeated an ode of Horace, which contained sentiments suited to his deplorable condition.—

‘Justum et tenacem propositi virum, &c.’¹

The judges, however, condemned him to lose his offices, and to be banished the Commonwealth. The pensionary, who had not been terrified from performing the part of a kind brother and faithful friend during this prosecution, resolved not to desert him on account of the unmerited infamy which was endeavoured to be thrown upon him. He came to his brother's prison, determined to accompany him to the place of his exile. The signal was given to the populace. They rose in arms, they broke open the doors of the prison, they pulled out the two brothers, and a thousand hands vied who should first be imbrued in their blood. Even their death did not satiate the brutal rage of the multitude. They exercised on the dead bodies of those virtuous citizens, indignities too shocking to be recited, and till tired with their own fury, they permitted not the friends of the deceased to approach, or to bestow on them the honours of a funeral, silent and unattended.

The massacre of the De Witts put an end for the time to the remains of their party, and all men, from fear, inclination, or prudence, concurred in expressing the most implicit obedience to the Prince of Orange. The republic, though half subdued by foreign force, and as yet dismayed by its misfortunes, was now firmly united under one leader, and began to collect the remains of its pristine vigour. William, worthy of that heroic family from which he sprang, adopted sentiments becoming the head of a brave and free people. He bent all his efforts

¹ Which may be thus translated —

The man, whose mind on virtue bent,
Pursues some greatly good intent,
With undiverted aim,
Serene beholds the angry crowd,
Nor can their clamours, fierce and loud,
His stubborn honour tame
Not the proud tyrant's fiercest threat,
Nor storms, that from their dark retreat
The lawless surges wake,

Not Jove's dread bolt that shakes the pole,
The firmer purpose of his soul
With all its power can shake
Should Nature's frame in ruins fall,
And chaos o'er the sinking ball
Resume primeval sway,
His courage chance and fate defies,
Nor feels the wreck of earth and skies
Obstruct its destined way —BLACKLOCK.

against the public enemy; he sought not against his country any advantages which might be dangerous to civil liberty. Those intolerable conditions demanded by their insolent enemies, he exhorted the States to reject with scorn, and by his advice they put an end to negotiations, which served only to break the courage of their fellow-citizens, and delay the assistance of their allies. He showed them that the numbers and riches of the people, aided by the advantages of situation, would still be sufficient, if they abandoned not themselves to despair, to resist, at least retard, the progress of their enemies, and preserve the remaining provinces till the other nations of Europe, sensible of the common danger, could come to their relief. He represented that as envy at their opulence and liberty had produced this mighty combination against them, they would in vain expect by concessions to satisfy foes, whose pretensions were as little bounded by moderation as by justice. He exhorted them to remember the generous valour of their ancestors, who, yet in the infancy of the state, preferred liberty to every human consideration, and rousing their spirits to an obstinate defence, repelled all the power, riches, and military discipline of Spain. And he professed himself willing to tread in the steps of his illustrious predecessors, and hoped that, as they had honoured him with the same affection which their ancestors paid to the former princes of Orange, they would second his efforts with the same constancy and manly fortitude.

The spirit of the young prince infused itself into his hearers. Those who lately entertained thoughts of yielding their necks to subjection, were now bravely determined to resist the haughty victor, and to defend those last remains of their native soil, of which neither the irruptions of Lewis, nor the inundation of waters had as yet bereaved them. Should even the ground fail them on which they might combat, they were still resolved not to yield the generous strife, but, flying to their settlements in the Indies, erect a new empire in those remote regions, and preserve alive, even in the climates of slavery, that liberty of which Europe was become unworthy. Already they concerted measures for executing this extraordinary resolution, and found that the vessels contained in their harbours could transport above 200,000 inhabitants to the East Indies.

The combined princes, finding at last some appearance of opposition, bent all their efforts to seduce the Prince of Orange, on whose valour and conduct the fate of the commonwealth entirely depended. The sovereignty of the province of Holland was offered him, and the protection of England and France, to insure him, as well against the invasion of foreign enemies, as the insurrection of his subjects. All proposals were generously rejected, and the prince declared his resolution to retire into Germany, and to pass his life in hunting on his lands there, rather than abandon the liberty of his country, or betray the trust reposed in him. When Buckingham urged the inevitable destruction which hung over the United Provinces, and asked him whether he did not see that the commonwealth was ruined? 'There is one certain means,' replied the prince, 'by which I can be sure never to see my country's ruin, I will die in the last ditch.'

The people in Holland had been much incited to espouse the

prince's party by the hopes that the king of England, pleased with his nephew's elevation, would abandon those dangerous engagements into which he had entered, and would afford his protection to the distressed republic. But all these hopes were soon found to be fallacious. Charles still persisted in his alliance with France, and the combined fleets approached the coast of Holland, with an English army on board, commanded by Count Schomberg. It is pretended that an unusual tide carried them off the coast, and that Providence thus interposed, in an extraordinary manner, to save the republic from the imminent danger to which it was exposed. Very tempestuous weather, it is certain, prevailed all the rest of the season, and the combined fleets either were blown to a distance, or durst not approach a coast which might prove fatal to them. Lewis, finding that his enemies gathered courage behind their inundations, and that no farther success was likely for the present to attend his arms, retired to Versailles.

The other nations of Europe regarded the subjection of Holland as the forerunner of their own slavery, and retained no hopes of defending themselves, should such a mighty accession be made to the already exorbitant power of France. The emperor, though he lay at a distance, and was naturally slow in his undertakings, began to put himself in motion, Brandenburg shewed a disposition to support the States, Spain had sent some forces to their assistance, and by the present efforts of the Prince of Orange, and the prospect of relief from their allies, a different face of affairs began already to appear. Groningen was the first place that stopped the progress of the enemy, the Bishop of Munster was repulsed from before that town, and obliged to raise the siege with loss and dishonour. Naerden was attempted by the Prince of Orange, but Mareschal Luxembourg, breaking in upon his entrenchments with a sudden irruption, obliged him to abandon the enterprise.

There was no ally on whom the Dutch more relied for assistance than the parliament of England, which the king's necessities at last (Feb. 4, 1673) obliged him to assemble. The eyes of all men, both abroad and at home, were fixed on this session, which met after prorogations continued for near two years. It was evident how much the king dreaded the assembling of his parliament, and the discontents universally excited by the bold measures entered into, both in foreign and domestic administration, had given but too just foundation for his apprehensions.

The king, however, in his speech, addressed them with all the appearance of cordiality and confidence. He said that he would have assembled them sooner had he not been desirous to allow them leisure for attending their private affairs, as well as to give his people respite from taxes and impositions; that since their last meeting he had been forced into a war, not only just but necessary, necessary both for the honour and interest of the nation. That in order to have peace at home while he had war abroad, he had issued his declaration of indulgence to dissenters, and had found many good effects to result from that measure; that he heard of some exceptions which had been taken to this exercise of power, but he would tell them plainly, that he was resolved to stick to his declaration, and would be much offended at

any contradiction, and that though a rumour had been spread, as if the new levied army had been intended to control law and property, he regarded that jealousy as so frivolous, that he was resolved to augment his forces next spring, and did not doubt but they would consider the necessity of them in their supplies. The rest of the business he left to the chancellor

The chancellor enlarged on the same topics, and added many extraordinary positions of his own. He told them that the Hollanders were the common enemies of all monarchies, especially that of England, their only competitor for commerce and naval power, and the sole obstacle to their views of attaining an universal empire as extensive as that of ancient Rome, that, even during their present distress and danger, they were so intoxicated with these ambitious projects as to slight all treaty, nay, to refuse all cessation of hostilities, that the king, in entering on this war, did no more than prosecute those maxims which had engaged the parliament to advise and approve of the last, and he might therefore safely say, that 'it was their war,' that the States, being the eternal enemies of England, both by interest and inclination, the parliament had wisely judged it necessary to extirpate them, and had laid it down as an eternal maxim, that 'delenda est Carthago,' this hostile government by all means is to be subverted, and that though the Dutch pretended to have assurances that the parliament would furnish no supplies to the king, he was confident that this hope, in which they extremely trusted, would soon fail them.

Before the commons entered upon business there lay before them an affair which discovered, beyond a possibility of doubt, the arbitrary projects of the king, and the measures taken upon it proved that the house was not at present in a disposition to submit to them. It had been the constant undisputed practice, ever since the parliament in 1604, for the house, in case of any vacancy, to issue out writs for new elections, and the chancellor, who, before that time, had had some precedents in his favour, had ever afterwards abstained from all exercise of that authority. This, indeed, was one of the first steps which the commons had taken in establishing and guarding their privileges, and nothing could be more requisite than this precaution, in order to prevent the clandestine issuing of writs, and to ensure a fair and free election. No one but so desperate a minister as Shaftesbury, who had entered into a regular plan for reducing the people to subjection, could have entertained thoughts of breaking in upon a practice so reasonable and so well established, or could have hoped to succeed in so bold an enterprize. Several members had taken their seats upon irregular writs issued by the chancellor; but the house was no sooner assembled, and the speaker placed in the chair, than a motion was made against them, and the members themselves had the modesty to withdraw. Their election was declared null, and new writs, in the usual form, were issued by the speaker.

The next step taken by the commons had the appearance of some more complaisance, but, in reality, proceeded from the same spirit of liberty and independence. They entered a resolution, that, in order to supply his majesty's extraordinary occasions—for that was the expression employed—they would grant eighteen months' assessment at the

rate of 70,000*l* a month, amounting in the whole to 1,260,000*l* Though unwilling to come to a violent breach with the king, they would not express the least approbation of the war, and they gave him the prospect of this supply only that they might have permission to proceed peaceably in the redress of the other grievances of which they had such reason to complain

No grievance was more alarming, both on account of the secret views from which it proceeded and the consequences which might attend it, than the declaration of indulgence. A remonstrance was immediately framed against that exercise of prerogative. The king defended his measure. The commons persisted in their opposition to it; and they represented that such a practice, if admitted might tend to interrupt the free course of the laws and alter the legislative power, which had always been acknowledged to reside in the king and the two houses. All men were in expectation with regard to the issue of this extraordinary affair. The king seemed engaged in honour to support his measure; and, in order to prevent all opposition, he had positively declared that he would support it. The commons were obliged to persevere, not only because it was dishonourable to be foiled where they could plead such strong reasons, but also because, if the king prevailed in his pretensions, an end seemed to be put to all the legal limitations of the constitution

It is evident that Charles was now come to that delicate crisis which he ought at first to have foreseen when he embraced those desperate counsels, and his resolutions, in such an event, ought long ago to have been entirely fixed and determined. Besides his usual guards, he had an army encamped at Blackheath, under the command of Mareschal Schomberg, a foreigner, and many of the officers were of the catholic religion. His ally, the French king, he might expect, would second him, if force became requisite for restraining his discontented subjects, and supporting the measures which, by common consent, they had agreed to pursue. But the king was startled when he approached so dangerous a precipice as that which lay before him. Were violence once offered there could be no return, he saw, to mutual confidence and trust with his people, the perils attending foreign succours, especially from so mighty a prince, were sufficiently apparent, and the success which his own aims had met with in the war was not so great as to increase his authority or terrify the malcontents from opposition. The desire of power, likewise, which had engaged Charles in these precipitate measures had less proceeded, we may observe, from ambition than from love of ease. Strict limitations of the constitution rendered the conduct of business complicated and troublesome; and it was impossible for him, without much contrivance and intrigue, to procure the money necessary for his pleasures, or even for the regular support of government. When the prospect, therefore, of such dangerous opposition presented itself, the same love of ease inclined him to retract what seemed so difficult to maintain; and his turn of mind, naturally pliant and careless, made him find little objection to a measure which a more haughty prince would have embraced with the utmost reluctance. That he might yield with the better grace he asked the opinion of the house of peers, who advised him to comply with the

commons Accordingly, the king sent for the declaration and, with his own hands, broke the seals The commons expressed the utmost satisfaction with this measure and the most entire duty to his majesty. Charles assured them that he would willingly pass any law offered him, which might tend to give them satisfaction in all their just grievances.

Shaftesbury, when he found the king recede at once from so capital a point, which he had publicly declared his resolution to maintain, concluded that all schemes for enlarging royal authority were vanished, and that Charles was utterly incapable of pursuing such difficult and such hazardous measures. The parliament, he foresaw, might push their inquiries into those counsels which were so generally odious, and the king, from the same facility of disposition, might abandon his ministers to their vengeance He resolved, therefore, to make his peace in time with that party which was likely to predominate, and to atone for all his violences in favour of monarchy by like violences in opposition to it Never turn was more sudden, or less calculated to save appearances Immediately, he entered into all the cabals of the country party, and discovered to them, perhaps magnified, the arbitrary designs of the court, in which he himself had borne so deep a share. He was received with open arms by that party, who stood in need of so able a leader, and no questions were asked with regard to his late apostasy The various factions into which the nation had been divided and the many sudden revolutions to which the public had been exposed, had tended much to debauch the minds of men and to destroy the sense of honour and decorum in their public conduct

But the parliament, though satisfied with the king's compliance, had not lost all those apprehensions, to which the measures of the court had given so much foundation. A law passed for imposing a test on all who should enjoy any public office Besides taking the oaths of allegiance and supremacy, and receiving the sacrament in the Established Church, they were obliged to abjure all belief in the doctrine of transubstantiation As the dissenters had seconded the efforts of the commons against the king's declaration of indulgence, and seemed resolute to accept of no toleration in an illegal manner, they had acquired great favour with the parliament, and a project was adopted to unite the whole protestant interest against the common enemy, who now began to appear formidable. A bill passed the commons for the ease and relief of the protestant nonconformists, but met with some difficulties, at least delays, in the house of peers

The resolution for supply was carried into a law, as a recompense to the king for his concessions An act, likewise, of general pardon and indemnity was passed, which screened the ministers from all further inquiry The parliament probably thought, that the best method of reclaiming the criminals was to show them, that their case was not desperate. Even the remonstrance, which the commons voted of their grievances, may be regarded as a proof, that their anger was, for the time, somewhat appeased. None of the capital points are there touched on, the breach of the triple league, the French alliance, or the shutting up of the exchequer The sole grievances mentioned are, an arbitrary imposition on coals for providing convoys, the exercise of

martial law, the quartering and pressing of soldiers, and they prayed, that, after the conclusion of the war, the whole army should be disbanded. The king gave them a gracious though an evasive answer. When business was finished, the two houses (Mar. 20) adjourned themselves.

Though the king had receded from his declaration of indulgence, and thereby had tacitly relinquished the dispensing power, he was still resolved, notwithstanding his bad success, both at home and abroad, to persevere in his alliance with France, and in the Dutch war, and consequently in all those secret views, whatever they were, which depended on those fatal measures. The money, granted by parliament, sufficed to equip a fleet, of which Prince Rupert was declared admiral for the duke was set aside by the test. Sir Edward Sprague and the Earl of Ossory commanded under the prince. A French squadron joined them, commanded by d'Etrées. The combined fleets set sail towards the coast of Holland, and (May 28, 1673) found the enemy, lying at anchor, within the sands at Schonvelt. There is a natural confusion attending sea-fights, even beyond other military transactions, derived from the precarious operations of winds and tides, as well as from the smoke and darkness in which everything is there involved. No wonder, therefore that accounts of those battles are apt to contain uncertainties and contradictions, especially when delivered by writers of the hostile nations, who take pleasure in exalting the advantages of their own countrymen, and depressing those of the enemy. All we can say with certainty of this battle is, that both sides boasted of the victory, and we may thence infer, that the event was not decisive. The Dutch, being near home, retired into their harbours. In a week they were refitted, and presented themselves again to the combined fleets. A new action ensued (June 4), not more decisive than the foregoing. It was not fought with great obstinacy on either side, but whether the Dutch or the allies first retired, seems to be a matter of uncertainty. The loss in the former of these actions fell chiefly on the French, whom the English, diffident of their intentions, took care to place under their own squadrons, and they thereby exposed them to all the fire of the enemy. There seems not to have been a ship lost on either side in the second engagement.

It was sufficient glory to de Ruyter, that, with a fleet much inferior to the combined squadrons of France and England, he could fight them without any notable disadvantage, and it was sufficient victory, that he could defeat the project of a descent in Zealand, which, had it taken place, had endangered, in the present circumstances, the total overthrow of the Dutch commonwealth. Prince Rupert was also suspected not to favour the king's projects for subduing Holland, or enlarging his authority at home, and from these motives he was thought not to have pressed so hard on the enemy, as his well-known valour gave reason to expect. It is, indeed, remarkable, that, during this war, though the English, with their allies, much over-matched the Hollanders, they were not able to gain any advantage over them; while, in the former war, though often overborne by numbers, they still exerted themselves with the greatest courage, and always acquired great renown, sometimes even signal victories. But they were dis-

gusted at the present measures, which they deemed pernicious to their country, they were not satisfied in the justice of the quarrel, and they entertained a perpetual jealousy of their confederates, whom, had they been permitted, they would, with much more pleasure, have destroyed than even the enemy themselves.

If Prince Rupert was not favourable to the designs of the court, he enjoyed as little favour from the court, at least from the duke, who, though he could no longer command the fleet, still possessed the chief authority in the admiralty. The prince complained of a total want of everything, powder, shot, provisions, beer, and even water, and he went into harbour, that he might refit his ships, and supply their numerous necessities. After some weeks he was refitted, and he again put to sea. The hostile fleets (Aug 11) met at the mouth of the Texel, and fought the last battle, which, during the course of so many years, these neighbouring maritime powers have disputed with each other. De Ruyter, and under him Tromp, commanded the Dutch in this action, as in the two former for the Prince of Orange had reconciled these gallant rivals, and they retained nothing of their former animosity, except that emulation, which made them exert themselves with more distinguished bravery against the enemies of their country. Brankert was opposed to d'Etrées, de Ruyter to Prince Rupert, Tromp to Sprague. It is to be remarked, that in all actions these brave admirals last mentioned had still selected each other, as the only antagonists worthy each other's valour, and no decisive advantage had as yet been gained by either of them. They fought in this battle, as if there were no mean between death and victory.

D'Etrées and all the French squadron, except Rear-Admiral Martel, kept at a distance, and Brankert, instead of attacking them, bore down to the assistance of De Ruyter, who was engaged in furious combat with Prince Rupert. On no occasion did the prince acquire more deserved honour: his conduct, as well as valour, shone out with signal lustre. Having disengaged his squadron from the numerous enemies with whom he was everywhere surrounded, and having joined Sir John Chicheley, his rear-admiral, who had been separated from him, he made haste to the relief of Sprague, who was hard pressed by Tromp's squadron. The Royal Prince, in which Sprague first engaged, was so disabled that he was obliged to hoist his flag on board the *St. George*, while Tromp was for a like reason obliged to quit his ship, the *Golden Lion*, and go on board the *Comet*. The fight was renewed with the utmost fury by these valorous rivals, and by the rear-admirals, their seconds. Ossory, rear-admiral to Sprague, was preparing to board Tromp, when he saw the *St. George*, terribly torn, and in a manner disabled. Sprague was leaving her, in order to hoist his flag on board a third ship, and return to the charge, when a shot, which had passed through the *St. George*, took his boat, and sunk her. The admiral was drowned, to the great regret of Tromp himself, who bestowed on his valour the deserved praises.

Prince Rupert found affairs in this dangerous situation, and saw most of the ships in Sprague's squadron disabled from fight. The engagement, however, was renewed, and became very close and bloody. The prince threw the enemy into disorder. To increase it, he sent

among them two fire-ships; and at the same time made a signal to the French to bear down, which, if they had done, a decisive victory must have ensued. But the prince, when he saw that they neglected his signal, and observed that most of his ships were in no condition to keep the sea long, wisely provided for their safety by making easy sail towards the English coast. The victory in this battle was as doubtful as in all the actions fought during the present war.

The turn which the affairs of the Hollanders took by land was more favourable. The Prince of Orange besieged and took Naerden, and from this success gave his country reason to hope for still more prosperous enterprises. Montecuculi, who commanded the Imperialists on the Upper Rhine, deceived, by the most artful conduct, the vigilance and penetration of Turenne, and, making a sudden march, sat down before Bonne. The Prince of Orange's conduct was no less masterly, while he eluded all the French generals, and, leaving them behind him, joined his army to that of the Imperialists. Bonne was taken in a few days, several other places in the electorate of Cologne fell into the hands of the allies, and the communication being thus cut off between France and the United Provinces, Lewis was obliged to recal his forces, and to abandon all his conquests, with greater rapidity than he had at first made them. The taking of Maestrecht was the only advantage which he gained this campaign.

A congress was opened at Cologne, under the mediation of Sweden, but with small hopes of success. The demands of the two kings were such as must have reduced the Hollanders to perpetual servitude. In proportion as the affairs of the States rose, the kings sunk in their demands, but the States still sunk lower in their offers, and it was found impossible for the parties ever to agree on any conditions. After the French evacuated Holland, the congress broke up, and the seizure of Prince William of Furstenburg by the Imperialists afforded the French and English a good pretence for leaving Cologne. The Dutch ambassadors, in their memorials, expressed all the haughtiness and disdain so natural to a free state which had met with such unmerited ill-usage.

The parliament of England was (Oct 20) now assembled, and discovered much greater symptoms of ill-humour than had appeared in the last session. They had seen for some time a negotiation of marriage carried on between the Duke of York and the Archduchess of Inspruck, a catholic of the Austrian family, and they had made no opposition. But when that negotiation failed, and the duke applied to a princess of the house of Modena, then in close alliance with France, this circumstance, joined to so many other grounds of discontent, raised the commons into a flame, and they remonstrated with the greatest zeal against the intended marriage. The king told them that their remonstrance came too late, and that the marriage was already agreed on, and even celebrated by proxy. The commons still insisted, and proceeding to the examination of the other parts of government, they voted the standing army a grievance, and declared that they would grant no more supply unless it appeared that the Dutch were so obstinate as to refuse all reasonable conditions of peace. To cut short these disagreeable attacks, the king resolved

(Nov. 4) to prorogue the parliament, and with that intention he came unexpectedly to the house of peers, and sent the usher to summon the commons. It happened that the speaker and the usher nearly met at the door of the house, but the speaker being within, some of the members suddenly shut the door, and cried, 'To the chair, to the chair!' while others cried, 'The black rod is at the door!' The speaker was hurried to the chair, and the following motions were instantly made that the alliance with France is a grievance. that the evil counsellors about the king are a grievance. that the Duke of Lauderdale is a grievance, and not fit to be trusted or employed. There was a general cry, 'To the question, to the question!' But the usher knocking violently at the door, the speaker leaped from the chair, and the house rose in great confusion.

During the interval, Shaftesbury, whose intrigues with the malcontent party were now become notorious, was dismissed from the office of chancellor, and the great seal was given to Sir Heneage Finch, by the title of lord-keeper. The test had incapacitated Clifford; and the white staff was conferred on Sir Thomas Osborne, soon after created Earl of Danby, a minister of abilities, who had risen by his parliamentary talents. Clifford retired into the country, and soon after died.

The parliament had been prorogued, in order to give the duke leisure to finish his marriage, but the king's necessities soon obliged him again (Feb. 7, 1674) to assemble them, and by some popular acts he paved the way for the session. But all his efforts were in vain. The disgust of the commons was fixed in foundations too deep to be easily removed. They began with applications for a general fast; by which they intimated that the nation was in a very calamitous condition. they addressed against the king's guards, which they represented as dangerous to liberty, and even as illegal, since they never had yet received the sanction of parliament. they took some steps towards establishing a new and more rigorous test against popery. and, what chiefly alarmed the court, they made an attack on the members of the cabal, to whose pernicious counsels they imputed all their present grievances. Clifford was dead, Shaftesbury had made his peace with the country party, and was become their leader, Buckingham was endeavouring to imitate Shaftesbury, but his intentions were as yet known to very few. A motion was therefore made in the house of commons for his impeachment. he desired to be heard at the bar; but expressed himself in so confused and ambiguous a manner as gave little satisfaction. He was required to answer precisely to certain queries which they proposed to him. These regarded all the articles of misconduct above mentioned, and, among the rest, the following query seems remarkable. 'By whose advice was the army brought up to overawe the debates and resolutions of the house of commons?' This shows to what length the suspicions of the house were at that time carried. Buckingham, in all his answers, endeavoured to exculpate himself, and to load Arlington. He succeeded not in the former intention. the commons voted an address for his removal. But Arlington, who was on many accounts obnoxious to the house, was attacked. Articles were drawn up against him, though the impeachment was never prosecuted.

The king plainly saw that he could expect no supply from the commons for carrying on a war so odious to them. He resolved, therefore, to make a separate peace with the Dutch, on the terms which they had proposed through the channel of the Spanish ambassador. With a cordiality which, in the present disposition on both sides, was probably but affected, but which was obliging, he asked advice of the parliament. The parliament unanimously concurred, both in thanks for this gracious condescension, and in their advice for peace. Peace was accordingly concluded. The honour of the flag was yielded by the Dutch in the most extensive terms: a regulation of trade was agreed to: all possessions were restored to the same condition as before the war: the English planters in Surinam were allowed to remove at pleasure: and the States agreed to pay to the king the sum of 800,000 patacoons (near 300,000*l.*) Four days after the parliament was prorogued, the peace was proclaimed in London, to the great joy of the people. Spain had declared that she could no longer remain neuter if hostilities were continued against Holland, and a sensible decay of trade was foreseen, in case a rupture should ensue with that kingdom. The prospect of this loss contributed very much to increase the national aversion to the present war, and to enliven the joy for its conclusion.

There was in the French service a great body of English, to the number of 10,000 men, who had acquired honour in every action, and had greatly contributed to the successes of Lewis. These troops, Charles said, he was bound by treaty not to recall, but he obliged himself to the States by a secret article not to allow them to be recruited. His partiality to France prevented a strict execution of this engagement.

CHAPTER LXVI.

Schemes of the Cabal—Remonstrances of Sir William Temple—Campaign of 1674—A Parliament—Passive obedience—A Parliament—Campaign of 1675—Congress of Nimueguen—Campaign of 1676—Uncertain conduct of the King—A Parliament—Campaign of 1677—Parliament's distrust of the King—Marriage of the Prince of Orange with the Lady Mary—Plan of peace—Negotiations—Campaign of 1678—Negotiations—Peace of Nimueguen—State of affairs in Scotland.

IF we consider the projects of the famous Cabal, it will appear hard to determine, whether the end which those ministers pursued were more blameable and pernicious, or the means, by which they were to effect it, more impolitic and imprudent. Though they might talk only of recovering or fixing the king's authority, their intention could be no other than that of making him absolute: since it was not possible to regain or maintain, in opposition to the people, any of those powers of the crown, abolished by late law or custom, without subduing the people, and rendering the royal prerogative entirely uncontrollable.

Against such a scheme, they might foresee, that every part of the nation would declare themselves, not only the old parliamentary faction, which, though they kept not in a body, were still numerous, but even the greatest royalists, who were indeed attached to monarchy, but desirous to see it limited and restrained by law. It had appeared, that the present parliament, though elected during the greatest prevalence of the royal party, was yet tenacious of popular privileges, and retained a considerable jealousy of the crown, even before they had received any just ground of suspicion. The guards, therefore, together with a small army, new levied, and undisciplined, and composed too of Englishmen, were almost the only domestic resources which the king could depend on in the prosecution of these dangerous counsels.

The assistance of the French king was, no doubt, deemed, by the Cabal, a considerable support in the schemes which they were forming, but it is not easily conceived, that they could imagine themselves capable of directing and employing an associate of so domineering a character. They ought justly to have suspected that it would be the sole intention of Lewis, as it evidently was his interest, to raise incurable jealousies between the king and his people, and that he saw how much a steady uniform government in this island, whether free or absolute, would form invincible barriers to his ambition. Should his assistance be demanded, if he sent a small supply, it would serve only to enrage the people, and render the breach altogether irreparable, if he furnished a great force, sufficient to subdue the nation, there was little reason to trust his generosity, with regard to the use which he would make of this advantage.

In all its other parts the plan of the Cabal, it must be confessed, appears equally absurd and incongruous. If the war with Holland were attended with great success, and involved the subjection of the republic, such an accession of force must fall to Lewis, not to Charles, and what hopes afterwards of resisting by the greatest unanimity so mighty a monarch? How dangerous, or rather how ruinous to depend upon his assistance against domestic discontents? If the Dutch, by their own vigour, and the assistance of allies, were able to defend themselves, and could bring the war to an equality, the French arms would be so employed abroad, that no considerable reinforcement could thence be expected to second the king's enterprises in England. And might not the project of overawing or subduing the people be esteemed, of itself, sufficiently odious, without the aggravation of sacrificing that State, which they regarded as their best ally, and with which, on many accounts, they were desirous of maintaining the greatest concord and strictest confederacy?

Whatever views likewise might be entertained of promoting by these measures the catholic religion, they could only tend to render all the other schemes abortive, and make them fall with inevitable ruin upon the projectors. The catholic religion, indeed, where it is established, is better fitted than the protestant for supporting an absolute monarchy, but would any man have thought of it as the means of acquiring arbitrary authority in England, where it was more detested than even slavery itself?

It must be allowed, that the difficulties, and even inconsistencies, attending the schemes of the Cabal, are so numerous and obvious, that one feels at first an inclination to deny the reality of those schemes, and to suppose them entirely the chimeras of calumny and faction. But the utter impossibility of accounting, by any other hypothesis, for those strange measures embraced by the court, as well as for the numerous circumstances which accompanied them, obliges us to acknowledge (though there remains no direct evidence of it¹) that a formal plan was laid for changing the religion, and subverting the constitution, of England, and that the king and the ministry were in reality conspirators against the people. What is most probable in human affairs is not always true, and a very minute circumstance, overlooked in our speculations, serves often to explain events, which may seem the most surprising and unaccountable. Though the king possessed penetration and a sound judgment, his capacity was chiefly fitted for smaller matters (Buckingham's character of K Chas II) and the ordinary occurrences of life, nor had he application enough to carry his view to distant consequences, or to digest and adjust any

¹ Since the publication of this history, the author has had occasion to see the most direct and positive evidence of this conspiracy. From the humanity and candour of the Principal of the Scotch College at Paris, he was admitted to peruse James II's Memoirs kept there. They amount to several volumes of small folio, all writ with that prince's own hand, and comprehending the remarkable incidents of his life, from his early youth till near the time of his death. His account of the French alliance is as follows: the intention of the king and duke was chiefly to change the religion of England, which they deemed an easy undertaking, because of the great propensity, as they imagined, of the cavaliers and church party to popery: the treaty with Lewis was concluded at Versailles in the end of 1669, or beginning of 1670, by Lord Arundell of Wardour, whom no historian mentions as having had any hand in these transactions. The purport of it was that Lewis was to give Charles 200,000*l* a year in quarterly payments, in order to enable him to settle the catholic religion in England, and he was also to supply him with an army of 6000 men in case of any insurrection. When the work was finished, England was to join with France in making war upon Holland. In case of success, Lewis was to have the inland provinces, the Prince of Orange, Holland in sovereignty, and Charles, Sluys, the Brille, Walcheren, with the rest of the seaports as far as Mareland Sluys. The king's project was first to effect the change of religion in England, but the Duchess of Orleans, in the interview at Dover, persuaded him to begin with the Dutch war, contrary to the remonstrances of the Duke of York, who insisted that Lewis, after serving his own purposes, would no longer trouble himself about England. The duke makes no mention of any design to render the king absolute, but that was, no doubt, implied in the other project, which was to be effected entirely by royal authority. The king was so zealous a papist, that he wept for joy when he saw the prospect of re-uniting his kingdom to the catholic church.

Sir Charles Dalrymple has since published some other curious particulars with regard to this treaty. We find, that it was concerted and signed with the privy alone of four popish counsellors of the king's, Arlington, Arundell, Clifford, and Sir Richard Berling. The secret was kept from Buckingham, Ashley, and Lauderdale. In order to engage them to take part in it, a very refined and a very mean artifice was fallen upon by the king. After the secret conclusion and signature of the treaty, the king pretended to these three ministers, that he wished to have a treaty and alliance with France for mutual support, and for a Dutch war, and when various pretended obstacles and difficulties were surmounted, a sham treaty was concluded with their consent and approbation, containing every article of the former real treaty, except that of the king's change of religion. However, there was virtually involved even in this treaty the assuming of absolute government in England for the support of French troops, and a war with Holland, so contrary to the interests and inclinations of his people, could mean nothing else. One cannot sufficiently admire the absolute want of common sense which appears throughout the whole of this criminal transaction. For if popery was so much the object of national horror, that even the king's three ministers, Buckingham, Ashley, and Lauderdale, and such profligate ones too, either would not, or durst not receive it, what hopes could he entertain of forcing the nation into that communion? Considering the state of the kingdom, full of veteran and zealous soldiers, bred during the civil wars, it is probable that he had not kept the crown two months after a declaration so wild and extravagant. This was probably the reason why the king of France and the French ministers always dissuaded him from taking off the mask, till the successes of the Dutch war should render that measure prudent and practicable.

plan of political operations. As he scarcely ever thought twice on any one subject, every appearance of advantage was apt to seduce him, and when he found his way obstructed by unlooked-for difficulties, he readily turned aside into the first path, where he expected more to gratify the natural indolence of his disposition. To this versatility or pliancy of genius, he himself was inclined to trust, and he thought, that after trying an experiment of enlarging his authority, and altering the national religion, he could easily, if it failed, return into the ordinary channel of government. But the suspicions of the people, though they burst not forth at once, were by this attempt rendered altogether incurable and the more they reflected on the circumstances attending it, the more resentment and jealousy were they apt to entertain. They observed, that the king never had any favourite, that he was never governed by his ministers, scarcely even by his mistresses, and that he himself was the chief spring of all public counsels. Whatever appearance, therefore, of a change might be assumed, they still suspected, that the same project was secretly in agitation, and they deemed no precaution too great to secure them against the pernicious consequences of such measures.

The king, sensible of this jealousy, was inclined thenceforth not to trust his people, of whom he had even before entertained a great diffidence, and, though obliged to make a separate peace, he still kept up connexions with the French monarch. He apologized for deserting his ally, by representing to him all the real undissembled difficulties under which he laboured, and Lewis, with the greatest complaisance and good humour, admitted the validity of his excuses. The duke likewise, conscious that his principles and conduct had rendered him still more obnoxious to the people, maintained on his own account a separate correspondence with the French court, and entered into particular connections with Lewis, which these princes dignified with the name of friendship. The duke had only in view to secure his succession, and favour the catholics, and it must be acknowledged to his praise, that, though his schemes were, in some particulars, dangerous to the people, they gave the king no just ground of jealousy. A dutiful subject, and an affectionate brother, he knew no other rule of conduct than obedience, and the same unlimited submission which afterwards, when king, he exacted of his people, he was ever willing, before he ascended the throne, to pay to his sovereign.

As the king was at peace with all the world, and almost the only prince in Europe placed in that agreeable situation, he thought proper to offer his mediation to the contending powers, in order to compose their differences. France, willing to negotiate under so favourable a mediator, readily accepted of Charles's offer, but it was apprehended, that, for a like reason, the allies would be inclined to refuse it. In order to give a sanction to his new measures, the king invited Temple from his retreat, and appointed him ambassador to the States. That wise minister, reflecting on the unhappy issue of his former undertakings, and the fatal turn of counsels which had occasioned it, resolved, before he embarked anew, to acquaint himself, as far as possible, with the real intentions of the king, in those popular measures which he seemed again to have adopted. After blaming the dangerous

schemes of the Cabal, which Charles was desirous to excuse, he told his majesty very plainly, that he would find it extremely difficult, if not absolutely impossible, to introduce into England the same system of government and religion which was established in France, that the universal bent of the nation was against both, and it required ages to change the genius and sentiments of a people that many, who were at bottom indifferent in matters of religion, would yet oppose all alterations on that head, because they considered, that nothing but force of arms could subdue the reluctance of the people against popery; after which, they knew, there could be no security for civil liberty that in France every circumstance had long been adjusted to that system of government, and tended to its establishment and support that the commonalty, being poor and dispirited, were of no account, the nobility, engaged by the prospect or possession of numerous offices civil and military, were entirely attached to the court, the ecclesiastics, retained by like motives, added the sanction of religion to the principles of civil policy that in England a great part of the landed property belonged either to the yeomanry or middling gentry, the king had few offices to bestow, and could not himself even subsist, much less maintain an army, except by the voluntary supplies of his parliament that if he had an army on foot, yet, if composed of Englishmen, they would never be prevailed on to promote ends which the people so much feared and hated that the Roman Catholics in England were not the hundredth part of the nation, and in Scotland not the two hundredth, and it seemed against all common sense to hope, by one part, to govern ninety-nine, who were of contrary sentiments and dispositions. and that foreign troops, if few, would tend only to inflame hatred and discontent, and how to raise and bring over at once or to maintain many, it was very difficult to imagine To these reasonings Temple added the authority of Gourville, a Frenchman, for whom he knew the king had entertained a great esteem 'A King of England,' said Gourville, 'who will be "the man of his people," is the greatest king in the world but if he will be anything more, he is nothing at all' The king heard, at first, this discourse with some impatience, but being a dextrous dissembler, he seemed moved at last, and laying his hand on Temple's, said, with an appearing cordiality, 'And I will be the man of my people.'

Temple, when he went abroad, soon found that the scheme of mediating a peace was likely to prove abortive The allies, besides their jealousy of the king's mediation, expressed a great ardour for the continuance of war Holland had stipulated with Spain never to come to an accommodation, till all things in Flanders were restored to the condition in which they had been left by the Pyrenean treaty The emperor had high pretensions in Alsace, and as the greater part of the empire joined in the alliance, it was hoped that France, so much over-matched in force, would soon be obliged to submit to the terms demanded of her The Dutch, indeed, oppressed by heavy taxes, as well as checked in their commerce, were desirous of peace, and had few or no claims of their own to retard it but they could not in gratitude, or even in good policy, abandon allies, to whose protection they had so lately been indebted for their safety The Prince of Orange likewise,

who had great influence in their councils, was all on fire for military fame, and was well pleased to be at the head of armies, from which such mighty successes were expected. Under various pretences, he eluded, during the whole campaign, the meeting with Temple, and after the troops were sent into winter quarters, he told that minister, in his first audience, that till greater impression were made on France, reasonable terms could not be hoped for, and it were therefore vain to negotiate.

The success of the campaign had not answered expectation. The Prince of Orange, with a superior army, was opposed in Flanders to the Prince of Condé, and had hoped to penetrate into France by that quarter, where the frontier was then very feeble. After long endeavouring, though in vain, to bring Condé to a battle, he rashly exposed, at Seneffe, a wing of his army, and that active prince failed not at once to see and to seize the advantage. But this imprudence of the Prince of Orange was amply compensated by his behaviour in the obstinate and bloody action which ensued. He rallied his dismayed troops, he led them to the charge, he pushed the veteran and martial troops of France, and he obliged the Prince of Condé, notwithstanding his age and character, to exert greater efforts, and to risk his person more than in any action, where, even during the heat of youth, he had ever commanded. After sunset, the action was continued by the light of the moon, and it was darkness at last, not the weariness of the combatants, which put an end to the contest, and left the victory undecided. 'The Prince of Orange,' said Condé, with candour and generosity, 'has acted, in everything, like an old captain, except venturing his life too like a young soldier.' Oudenarde was afterwards invested by the Prince of Orange, but he was obliged, by the Imperial and Spanish generals, to raise the siege on the approach of the enemy. He afterwards besieged and took Grave, and at the beginning of winter, the allied armies broke up, but with great discontents and complaints on all sides.

The allies were not more successful in other places. Lewis, in a few weeks, reconquered Franche-comté. In Alsace, Turenne displayed against a much superior enemy, all that military skill, which had long rendered him the most renowned captain of his age and nation. By a sudden and forced march, he attacked and beat at Sintzheim the Duke of Lorraine and Caprara, general of the Imperialists. 70,000 Germans poured into Alsace, and took up their quarters in that province. Turenne, who had retired into Lorraine, returned unexpectedly upon them. He attacked and defeated a body of the enemy at Mulhausen. He chased from Colmar the elector of Brandenburg, who commanded the German troops. He gained a new advantage at Turkheim. And having dislodged all the allies, he obliged them to repass the Rhine, full of shame for their multiplied defeats, and, still more, of anger and complaints against each other.

In England, all these events were considered by the people with great anxiety and concern, though the king and his ministers affected great indifference with regard to them. Considerable alterations were about this time made in the English ministry. Buckingham was dismissed, who had long, by his wit and entertaining humour, possessed

the king's favour Arlington, now chamberlain, and Danby, the treasurer, possessed chiefly the king's confidence. Great hatred and jealousy took place between these ministers, and public affairs were somewhat disturbed by their quarrels. But Danby daily gained ground with his master. And Arlington declined in the same proportion. Danby was a frugal minister, and, by his application and industry, he brought the revenue into tolerable order. He endeavoured so to conduct himself as to give offence to no party, and the consequence was, that he was able entirely to please none. He was a declared enemy to the French alliance, but never possessed authority enough to overcome the prepossessions which the king and the duke retained towards it. It must be ascribed to the prevalence of that interest, aided by money remitted from Paris, that the parliament was assembled so late this year, lest they should attempt to engage the king in measures against France, during the ensuing campaign. They met (April 13, 1675) not till the approach of summer.¹

Every step taken by the commons discovered that ill-humour and jealousy to which the late open measures of the king, and his present secret attachments, gave but too just foundation. They drew up a new bill against popery, and resolved to insert in it many severe clauses for the detection and prosecution of priests, they presented addresses a second time against Lauderdale, and, when the king's answer was not satisfactory, they seemed still determined to persevere in their applications. An accusation was moved against Danby, but, upon examining the several articles, it was not found to contain any just reasons of a persecution, and was therefore dropped. They applied to the king for recalling his troops from the French service, and, as he only promised that they should not be recruited, they appeared to be much dissatisfied with the answer. A bill was brought in, making it treason to levy money without authority of parliament, another vacating the seats of such members as accepted of offices; another, to secure the personal liberty of the subject, and to prevent sending any person prisoner beyond sea.

That the court party might not be idle during these attacks, a bill for a new test was introduced into the house of peers by the Earl of Lindsey. All members of either house, and all who possessed any office, were by this bill required to swear that it was not lawful, upon any pretence whatsoever, to take arms against the king; that they abhorred the traitorous position of taking arms by his authority against his person, or against those who were commissioned by him; and that they will not at any time endeavour the alteration of the protestant religion or of the established government either in church or state.

Great opposition was made to this bill, as might be expected, from the present disposition of the nation. During seventeen days the debates were carried on with much zeal, and all the reason and learning of both parties were displayed on the occasion. The question, indeed, with regard to resistance, was a point which entered into the controversies of the old parties, cavalier and roundhead, as it made

¹ This year, on March 25, died Henry Cromwell, second son of the protector, æt. 47. He had lived unmolested in a private station, ever since the king's restoration, which he rather favoured than opposed.

an essential part of the present disputes between court and country. Few neuters were found in the nation, but among such as could maintain a calm indifference, there prevailed sentiments wide of those which were adopted by either party. Such persons thought that all general, speculative declarations of the legislature, either for or against resistance, were equally impolitic, and could serve to no other purpose than to signalise, in their turn, the triumph of one faction over another; that the simplicity retained in the ancient laws of England, as well as in the laws of every other country, ought still to be preserved, and was best calculated to prevent the extremes on either side, that the absolute exclusion of resistance in all possible cases was founded on 'false' principles, its express admission might be attended with 'dangerous' consequences, and there was no necessity for exposing the public to either inconvenience, that if a choice must necessarily be made in the case, the preference of utility to truth in public institutions was apparent, nor could the supposition of resistance beforehand, and in general terms, be safely admitted in any government, that even in mixed monarchies, where that supposition seemed most requisite, it was yet entirely superfluous, since no man, on the approach of extraordinary necessity, could be at a loss, though not directed by legal declarations, to find the proper remedy, that even those who might at a distance, and by scholastic reasoning, exclude all resistance, would yet hearken to the voice of nature, when evident ruin both to themselves and to the public must attend a strict adherence to their pretended principles, that the question, as it ought thus to be entirely excluded from all determinations of the legislature, was, even among private reasoners, somewhat frivolous and little better than a dispute of words; that the one party could not pretend that resistance ought ever to become a familiar practice, the other would surely have recourse to it in great extremities. And thus the difference could only turn on the degrees of danger or oppression which would warrant this irregular remedy, a difference which in a general question it was impossible by any language precisely to fix or determine.

There were many other absurdities in this test, particularly that of binding men by oath not to alter the government either in church or state, since all human institutions are liable to abuse and require continual amendments which are, in reality, so many alterations. It is not, indeed, possible to make a law which does not innovate, more or less, in the government. These difficulties produced such obstructions to the bill that it was carried only by two voices in the house of peers. All the popish lords, headed by the Earl of Bristol, voted against it. It was sent down to the house of commons, where it was likely to undergo a scrutiny still more severe.

But a quarrel which ensued between the two houses prevented the passing of every bill projected during the present session. One Dr. Shirley, being cast in a lawsuit before chancery against Sir John Fag, a member of the house of commons, preferred a petition of appeal to the house of peers. The lords received it, and summoned Fag to appear before them. He complained to the lower house, who espoused his cause. They not only maintained that no member of their house could be summoned before the peers, they also asserted that the

upper house could receive no appeals from any court of equity, a pretension which extremely retrenched the jurisdiction of the peers, and which was contrary to the practice that had prevailed during the whole century. The commons send Shirley to prison, the lords assert their powers. Conferences are tried, but no accommodation ensues. Four lawyers are sent to the Tower by the commons for transgressing the orders of the house, and pleading in this cause before the peers. The peers denominate this arbitrary commitment a breach of the great charter, and order the lieutenant of the Tower to release the prisoners; he declines obedience, they apply to the king, and desire him to punish the lieutenant for his contempt. The king summons both houses, exhorts them to unanimity, and informs them that the present quarrel had arisen from the contrivance of his and their enemies, who expected by that means to force a dissolution of the parliament. His advice has no effect; the commons continue as violent as ever, and the king, finding that no business could be finished, at last (June 8) prorogued the parliament.

When the parliament was again (Oct. 13) assembled, there appeared not in any respect a change in the dispositions of either house. The king desired supplies, as well for the building of ships, as for taking off anticipations which lay upon his revenue. He even confessed that he had not been altogether so frugal as he might have been, and as he resolved to be for the future, though he asserted that, to his great satisfaction, he had found his expenses by no means so exorbitant as some had represented them. The commons took into consideration the subject of supply. They voted 300,000*l* for the building of ships, but they appropriated the sum by very strict clauses. They passed a resolution not to grant any supply for taking off the anticipations of the revenue.¹ This vote was carried in a full house, by a majority of four only: so nearly were the parties balanced. The quarrel was revived, to which Dr Shirley's cause had given occasion. The proceedings of the commons discovered the same violence as during the last session. A motion was made in the house of peers, but rejected, for addressing the king to dissolve the present parliament. The king contented himself with (Nov. 22) proroguing them to a very long term. Whether these quarrels between the houses arose from contrivance or accident was not certainly known. Each party might, according to their different views, esteem themselves either gainers or losers by them. The court might desire to obstruct all attacks from the commons, by giving them other employment. The country party might desire the dissolution of a parliament, which, notwithstanding all disgusts, still contained too many royalists ever to serve all the purposes of the malcontents.

Soon after the prorogation, there passed an incident, which in itself is trivial, but tends strongly to mark the genius of the English government, and of Charles's administration, during this period. The liberty of the constitution, and the variety as well as violence of the parties,

¹ Several historians have affirmed, that the commons found, this session, upon inquiry, that the king's revenue was 1,600,000*l* a year, and that the necessary expense was but 700,000*l*, and have appealed to the journals for a proof. But there is not the least appearance of this in the journals, and the fact is impossible.

had begotten a propensity for political conversation, and as the coffee-houses in particular were the scenes, where the conduct of the king and the ministry was canvassed with great freedom, a proclamation was issued to suppress these places of rendezvous. Such an act of power during former reigns would have been grounded entirely on the prerogative, and before the accession of the house of Stuart, no scruple would have been entertained with regard to that exercise of authority. But Charles, finding doubts to arise upon his proclamation, had recourse to the judges, who supplied him with a chicane, and that too a frivolous one, by which he might justify his proceedings. The law, which settled the excise, enacted, that licences for retailing liquors might be refused to such as could not find security for payment of the duties. But coffee was not a liquor subjected to excise, and even this power of refusing licences was very limited, and could not reasonably be extended beyond the intention of the act. The king, therefore, observing the people to be much dissatisfied, yielded to a petition of the coffee-men, who promised for the future to restrain all seditious discourse in their houses, and the proclamation was then recalled.

This campaign, 1675, proved more fortunate to the confederates than any other during the whole war. The French took the field in Flanders with a numerous army; and Lewis himself served as a volunteer under the Prince of Condé. But notwithstanding his great preparations, he could gain no advantages but the taking of Huy and Limbourg, places of small consequence. The Prince of Orange, with a considerable army, opposed him in all his motions; and neither side was willing, without a visible advantage, to hazard a general action, which might be attended either with the entire loss of Flanders on the one hand, or the invasion of France on the other. Lewis, tired of so unactive a campaign, returned to Versailles; and the whole summer passed in the Low Countries without any memorable event.

Turenne commanded on the Upper Rhine, in opposition to his great rival Montecuculi, general of the Imperialists. The object of the latter was to pass the Rhine, to penetrate into Alsace, Lorraine, or Burgundy, and to fix his quarters in these provinces, the aim of the former was to guard the French frontiers, and to disappoint all the schemes of his enemy. The most consummate skill was displayed on both sides; and if any superiority appeared in Turenne's conduct, it was chiefly ascribed to his greater vigour of body, by which he was enabled to inspect all the posts in person, and could on the spot take the justest measures for the execution of his designs. By posting himself on the German side of the Rhine, he not only kept Montecuculi from passing that river: he had also laid his plan in so masterly a manner, that, in a few days, he must have obliged the Germans to decamp, and have gained a considerable advantage over them; when a period was put to his life, by a random shot, which struck him on the breast as he was taking a view of the enemy. The consternation of his army was inexpressible. The French troops, who, a moment before, were assured of victory, now considered themselves as entirely vanquished; and the Germans, who would have been glad to compound for a safe retreat, expected no less than the total destruction of their enemy.

But De Lorges, nephew to Turenne, succeeded him in the command, and possessed a great share of the genius and capacity of his predecessor. By his skilful operations, the French were enabled to repass the Rhine, without considerable loss, and this retreat was deemed equally glorious with the greatest victory. The valour of the English troops, who were placed in the rear, greatly contributed to save the French army. They had been seized with the same passion as the native troops of France, for their brave general, and fought with ardour to revenge his death on the Germans. The Duke of Marlborough, then Captain Churchill, here learned the rudiments of that art, which he afterwards practised with such fatal success against France.

* The Prince of Condé left the army in Flanders under the command of Luxembourg, and carrying with him a considerable reinforcement, succeeded to Turenne's command. He defended Alsace from the Germans, who had passed the Rhine, and invaded that province. He obliged them first to raise the siege of Hagenau, then that of Saverne. He eluded all their attempts to bring him to a battle. And having dexterously prevented them from establishing themselves in Alsace, he forced them, notwithstanding their superiority of numbers, to repass the Rhine, and to take up winter-quarters in their own country.

After the death of Turenne, a detachment of the German army was sent to the siege of Treves, an enterprise, in which the Imperialists, the Spaniards, the Palatine, the Duke of Lorraine, and many other princes passionately concurred. The project was well concerted, and executed with vigour. Marshal Crequi, on the other hand, collected an army, and advanced with a view of forcing the Germans to raise the siege. They left a detachment to guard their lines, and under the command of the Dukes of Zell and Osnaburg, marched in quest of the enemy. At Conarbruck, they fell unexpectedly and with superior numbers, on Crequi, and put him to rout. He escaped with four attendants only; and throwing himself into Treves, resolved, by a vigorous defence, to make atonement for his former error or misfortune. The garrison was brave, but not abandoned to that total despair by which their governor was actuated. They mutinied against his obstinacy, capitulated for themselves, and because he refused to sign the capitulation, they delivered him a prisoner into the hands of the enemy.

It is remarkable that this defeat given to Crequi is almost the only one which the French received at land, from Rocroi to Blenheim, during the course of above fifty years, and these, too, full of bloody wars against potent and martial enemies, their victories almost equal the number of years during that period. Such was the vigour and good conduct of that monarchy! and such too were the resources and refined policy of the other European nations, by which they were enabled to repair their losses, and still to confine that mighty power nearly within its ancient limits! A fifth part of these victories would have sufficed, in another period, to have given to France the empire of Europe.

The Swedes had been engaged, by the payment of large subsidies, to take part with Lewis, and invade the territories of the elector of Brandenburg in Pomerania. That elector, joined by some Imperial-

ists from Silesia, fell upon them with bravery and success. He soon obliged them to evacuate his part of that country, and he pursued them into their own. He had an interview with the King of Denmark, who had now joined the confederates, and resolved to declare war against Sweden. These princes concerted measures for pushing the victory.

To all these misfortunes against foreign enemies were added some domestic insurrections of the common people in Guienne and Brittany. Though soon suppressed, they divided the force and attention of Lewis. The only advantage, gained by the French, was at sea. Messina in Sicily had revolted, and a fleet under the Duke de Vivonne was dispatched to support the rebels. The Dutch had sent a squadron to assist the Spaniards. A battle ensued, where de Ruyter was killed. This event alone was thought equivalent to a victory.

The French, who, twelve years before, had scarcely a ship of war in any of their harbours, had raised themselves, by means of perseverance and policy, to be, in their present force, though not in their resources, the first maritime power in Europe. The Dutch, while in alliance with them against England, had supplied them with several vessels, and had taught them the rudiments of the difficult art of ship-building. The English next, when in alliance with them against Holland, instructed them in the method of fighting their ships, and of preserving order in naval engagements. Lewis availed himself of every opportunity to aggrandize his people, while Charles, sunk in indolence and pleasure, neglected all the noble arts of government, or if at any time he roused himself from his lethargy, that industry, by reason of the unhappy projects which he embraced, was often more pernicious to the public than his inactivity itself. He was as anxious to promote the naval power of France, as if the safety of his crown had depended on it, and many of the plans executed in that kingdom, were first, it is said (Welwood, Burnet, Coke) digested and corrected by him.

The successes of the allies had been considerable the last campaign; but the Spaniards and Imperialists well knew, that France was not yet sufficiently broken, nor willing to submit to the terms which they resolved to impose upon her. Though they could not refuse the king's mediation, and Nimeguen, after many difficulties, was at last fixed on as the place of congress, yet under one pretence or other, they still delayed sending their ambassadors, and no progress was made in the negotiation. Lord Berkeley, Sir William Temple, and Sir Lionel Jenkins, were the English ministers at Nimeguen. The Dutch, who were impatient for peace, soon appeared. Lewis, who hoped to divide the allies, and who knew, that he himself could neither be seduced nor forced into a disadvantageous peace, sent ambassadors. The Swedes, who hoped to recover by treaty what they had lost by arms, were also forward to negotiate. But as these powers could not proceed of themselves to settle terms, the congress, hitherto, served merely as an amusement to the public.

It was by the events of the campaign, not the conferences among the negotiators, that the articles of peace were to be determined. The Spanish towns, ill-fortified and worse defended, made (in 1676) but a feeble resistance to Lewis, who, by laying up magazines during the winter, was able to take the field early in the spring, before the

forage could be found in the open country. In the month of April he laid siege to Condé, and took it by storm in four days. Having sent the Duke of Orleans to besiege Bouchaine, a small but important fortress, he posted himself so advantageously with his main army, as to hinder the confederates from relieving it, or fighting without disadvantage. The Prince of Orange, in spite of the difficulties of the season, and the want of provisions, came in sight of the French army; his industry served to no other purpose than to render him spectator of the surrender of Bouchaine. Both armies stood in awe of each other, and were unwilling to hazard an action, which might be attended with the most important consequences. Lewis, though he wanted not personal courage, was little enterprising in the field, and being resolved this campaign to rest contented with the advantages which he had so early obtained, he thought proper to entrust his army to Mareschal Schomberg, and retired himself to Versailles. After his departure, the Prince of Orange laid siege to Maestricht; but meeting with an obstinate resistance, he was obliged, on the approach of Schomberg, who in the meantime had taken Aire, to raise the siege. He was incapable of yielding to adversity, or bending under misfortunes; but he began to foresee, that, by the negligence and errors of his allies, the war in Flanders must necessarily have a very unfortunate issue.

On the Upper Rhine, Philipsbourg was taken by the Imperialists. In Pomerania, the Swedes were so unsuccessful against the Danes and Brandenburgers, that they seemed to be losing apace all those possessions, which, with so much valour and good fortune, they had acquired in Germany.

About the beginning of winter, the congress of Nimeguen was pretty full, and the plenipotentiaries of the emperor and Spain, two powers strictly conjoined by blood and alliance, at last appeared. The Dutch had threatened, if they absented themselves any longer, to proceed to a separate treaty with France. In the conferences and negotiations, the disposition of the parties became every day more apparent.

The Hollanders, loaded with debts, and harassed with taxes, were (A.D. 1677) desirous of putting an end to a war, in which, besides the disadvantages attending all leagues, the weakness of the Spaniards, the divisions and delays of the Germans, prognosticated nothing but disgrace and misfortune. Their commerce languished, and what gave them still greater anxiety, the commerce of England, by reason of her neutrality, flourished extremely, and they were apprehensive, lest advantages once lost, would never thoroughly be regained. They had themselves no farther motive for continuing the war, than to secure a good frontier to Flanders, but gratitude to their allies still engaged them to try, whether another campaign might procure a peace, which would give general satisfaction. The Prince of Orange, urged by motives of honour, of ambition, and of animosity against France, endeavoured to keep them steady to this resolution.

The Spaniards, not to mention the other incurable weaknesses, into which their monarchy was fallen, were distracted with domestic dissensions between the parties of the queen regent and Don John, natural brother to their young sovereign. Though unable of themselves to

defend Flanders, they were resolute not to conclude a peace, which would leave it exposed to every assault or inroad, and while they made the most magnificent promises to the States, their real trust was in the protection of England. They saw, that, if that small but important territory were once subdued by France, the Hollanders, exposed to so terrible a power, would fall into dependance, and would endeavour, by submissions, to ward off that destruction to which a war, in the heart of their state, must necessarily expose them. They believed, that Lewis, sensible how much greater advantages he might reap from the alliance than from the subjection of the republic, which must scatter its people, and depress its commerce, would be satisfied with very moderate conditions, and would turn his enterprizes against his other neighbours. They thought it impossible but the people and parliament of England, foreseeing these obvious consequences, must at last force the king to take part in the affairs of the continent, in which their interests were so deeply concerned. And they trusted, that even the king himself, on the approach of so great a danger, must open his eyes, and sacrifice his prejudices, in favour of France, to the safety of his own dominions.

But Charles here found himself entangled in such opposite motives and engagements, as he had not resolution enough to break, or patience to unravel. On the one hand, he always regarded his alliance with France as a sure resource in case of any commotions among his own subjects, and whatever schemes he might still retain for enlarging his authority, or altering the established religion, it was from that quarter alone he could expect assistance. He had actually in secret sold his neutrality to France, and he received remittances of a million of livres a-year, which was afterwards increased to two millions, a considerable supply in the present embarrassed state of his revenue. And he dreaded, lest the parliament should treat him as they had formerly done his father; and after they had engaged him in a war on the continent, should take advantage of his necessities, and make him purchase supplies by sacrificing his prerogative, and abandoning his ministers.

On the other hand, the cries of his people and parliament, seconded by Danby, Arlington, and most of his ministers, incited him to take part with the allies, and to correct the unequal balance of power in Europe. He might apprehend danger from opposing such earnest desires: he might hope for large supplies if he concurred with them; and however inglorious and indolent his disposition, the renown of acting as arbiter of Europe, would probably at intervals rouse him from his lethargy, and move him to support the high character with which he stood invested.

It is worthy of observation, that, during this period, the king was, by every one, abroad and at home, by France and by the allies, allowed to be the undisputed arbiter of Europe, and no terms of peace, which he would have prescribed, could have been refused by either party. Though France afterwards found means to resist the same alliance, joined with England, yet was she then obliged to make such violent efforts as quite exhausted her, and it was the utmost necessity which pushed her to find resources, far surpassing her own

expectations Charles was sensible, that, so long as the war continued abroad, he should never enjoy ease at home, from the impatience and importunity of his subjects, yet could he not resolve to impose a peace by openly joining himself with either party Terms advantageous to the allies must lose him the friendship of France the contrary would enrage his parliament Between these views, he perpetually fluctuated, and from his conduct, it is observable, that a careless, remiss disposition, agitated by opposite motives, is capable of as great inconsistencies as are incident even to the greatest imbecility and folly

The parliament was assembled (Feb 15, 1677), and the king made them a plausible speech, in which he warned them against all differences among themselves, expressed a resolution to do his part for bungling their consultations to a happy issue, and offered his consent to any laws for the farther security of their religion, liberty, and property He then told them of the decayed condition of the navy; and asked money for repairing it he informed them, that part of his revenue, the additional excise, was soon to expire and he added these words, 'You may at any time see the yearly established expense of the government, by which it will appear, that, the constant and unavoidable charge being paid, there will remain no overplus towards answering those contingencies, which may happen in all kingdoms, and which have been a considerable burthen on me this last year'

Before the parliament entered upon business, they were stopped by a doubt, concerning the legality of their meeting It had been enacted by an old law of Edw III 'That parliaments should be held once every year, or oftener, if need be' The last prorogation had been longer than a year, and being supposed on that account illegal, it was pretended to be equivalent to a dissolution The consequence seems by no means just, and besides, a later act, that which repealed the triennial law, had determined, that it was necessary to hold parliaments only once in three years Such weight, however, was put on this cavil, that Buckingham, Shaftesbury, Salisbury, and Wharton, insisted strenuously in the house of peers on the invalidity of the parliament, and the nullity of all its future acts For such dangerous positions, they were sent to the Tower, there to remain during the pleasure of his majesty and the house Buckingham, Salisbury, and Wharton made submissions, and were soon after released But Shaftesbury, more obstinate in his temper, and desirous of distinguishing himself by his adherence to liberty, sought the remedy of law, and being rejected by the judges, he was, at last, after a twelve-month's imprisonment, obliged to make the same submissions; upon which he was also released

The commons at first seemed to proceed with temper. They granted the sum of 586,000*l*, for building 30 ships, though they strictly appropriated the money to that service Estimates were given in of the expense, but it was afterwards found that they fell short near 100,000*l* They also voted, agreeably to the king's request, the continuance of the additional excise for three years This excise had been granted for nine years in 1668 Everything seemed to promise a peaceable and an easy session.

But the parliament was roused from this tranquillity by the news received from abroad. The French king had taken the field in the middle of February, 1677, and laid siege to Valenciennes, which he carried in a few days by storm. He next invested both Cambray and St Omers. The Prince of Orange, alarmed with his progress, hastily assembled an army, and marched to the relief of St Omers. He was encountered by the French, under the Duke of Orleans and Marshal Luxembourg. The Prince possessed great talents for war, courage, activity, vigilance, patience; but still he was inferior in genius to those consummate generals, opposed to him by Lewis, and though he always found means to repair his losses, and to make head in a little time against the victors, he was, during his whole life, unsuccessful. By a masterly movement of Luxembourg, he was here defeated, and obliged to retreat to Ypres. Cambray and St Omers were soon after surrendered to Lewis.

This success, derived from such great power and such wise conduct, infused a just terror into the English parliament. They addressed the king, representing the danger to which the kingdom was exposed from the greatness of France, and praying that his majesty, by such alliances as he should think fit, would both secure his own dominions and the Spanish Netherlands, and thereby quiet the fears of his people. The king, desirous of eluding this application, which he considered as a kind of attack on his measures, replied in general terms, that he would use all means for the preservation of Flanders, consistent with the peace and safety of his kingdoms. This answer was an evasion, or rather a denial. The commons, therefore, thought proper to be more explicit. They entreated him not to defer the entering into such alliances as might attain that great end, and in case war with the French king should be the result of his measures, they promised to grant him all the aids and supplies, which would enable him to support the honour and interest of the nation. The king was also more explicit in his reply. He told them, that the only way to prevent danger, was to put him in a condition to make preparations for their security. This message was understood to be a demand of money. The parliament accordingly empowered the king to borrow on the additional excise 200,000*l* at seven per cent. a very small sum indeed, but which they deemed sufficient, with the ordinary revenue, to equip a good squadron, and thereby put the nation in security, till farther resolutions should be taken.

But this concession fell far short of the king's expectations. He therefore informed them, that, unless they granted him the sum of 600,000*l* upon new funds, it would not be possible for him, without exposing the nation to manifest danger, 'to speak or act those things,' which would answer the end of their several addresses. The house took this message into consideration, but before they came to any resolution, the king sent for them to Whitehall, where he told them, upon the word of a king, that they should not repent any trust which they would repose in him for the safety of the kingdom, that he would not for any consideration break credit with them, or employ their money to other uses, than those for which they intended it, but that he would not hazard, either his own safety or theirs, by taking any

vigorous measures, or forming new alliances, till he were in a better condition both to defend his subjects, and offend his enemies. This speech brought affairs to a short issue. The king required them to trust him with a large sum: he pawned his royal word for their security. They must either run the risk of losing their money, or fail of those alliances which they had projected, and at the same time declare to all the world the highest distrust of their sovereign.

But there were many reasons which determined the house of commons to put no trust in the king. They considered, that the pretence of danger was obviously groundless, while the French were opposed by such powerful alliances on the continent, while the king was master of a good fleet at sea, and while all his subjects were so heartily united in opposition to foreign enemies. That the only justifiable reason, therefore, of Charles's backwardness, was not the apprehension of danger from abroad, but a diffidence, which he might perhaps have entertained of his parliament, lest, after engaging him in foreign alliances for carrying on war, they should take advantage of his necessities, and extort from him concessions dangerous to his royal dignity. That this parliament, by their past conduct, had given no foundation for such suspicions, and were so far from pursuing any sinister ends, that they had granted supplies for the first Dutch war, for maintaining the triple league, though concluded without their advice, even for carrying off the second Dutch war, which was entered into contrary to their opinion, and contrary to the manifest interests of the nation. That, on the other hand, the king had, by former measures, excited very reasonable jealousies in his people, and did with a bad grace require at present their trust and confidence. That he had not scrupled to demand supplies for maintaining the triple league, at the very moment he was concerting measures for breaking it, and had accordingly employed to that purpose the supplies, which he had obtained by those delusive pretences. That his union with France, during the war against Holland, must have been founded on projects the most dangerous to his people, and as the same union was still secretly maintained, it might justly be feared, that the same projects were not yet entirely abandoned. That he could not seriously intend to prosecute vigorous measures against France, since he had so long remained entirely unconcerned during such obvious dangers, and, till prompted by his parliament, whose proper business it was not to take the lead in those parts of administration, had suspended all his activity. That if he really meant to enter into a cordial union with his people, he would have taken the first step, and have endeavoured, by putting trust in them, to restore that confidence, which he himself, by his rash conduct had first violated. That it was in vain to ask so small a sum as 600,000*l.*, in order to secure him against the future attempts of the parliament; since that sum must soon be exhausted by a war with France, and he must again fall into that dependance, which was become, in some degree, essential to the constitution. That if he would form the necessary alliances, that sum, or a greater, would instantly be voted, nor could there be any reason to dread, that the parliament would immediately desert measures, in which they were engaged by their honour, their inclination, and the public interest. That the real ground, there-

fore, of the king's refusal, was neither apprehension of danger from foreign enemies, nor jealousy of parliamentary encroachments, but a desire of obtaining the money, which he intended, notwithstanding his royal word, to employ to other purposes. And that, by using such dishonourable means to so ignoble an end, he rendered himself still more unworthy the confidence of his people.

The house of commons was now regularly divided into two parties, the court and the country. Some were enlisted in the court-party by offices, nay, a few by bribes secretly given them, a practice first begun by Clifford, a dangerous minister, but great numbers were attached merely by inclination, so far as they esteemed the measures of the court agreeable to the interests of the nation. Private views and faction had likewise drawn several into the country party, but there were also many of that party, who had no other object than the public good. These disinterested members on both sides fluctuated between the factions, and gave the superiority sometimes to the court, sometimes to the opposition (Temple's Mem., vol. 1, p. 458). In the present emergence, a general distrust of the king prevailed, and the parliament resolved not to hazard their money, in expectation of alliances, which, they believed, were never intended to be formed. Instead of granting the supply, they voted an address, wherein they 'besought his majesty to enter into a league, offensive and defensive, with the States General of the United Provinces, against the growth and power of the French king, and for the preservation of the Spanish Netherlands, and to make such other alliances with the confederates as should appear fit and useful to that end.' They supported their advice with reasons, and promised speedy and effectual supplies, for preserving his majesty's honour and ensuring the safety of the public. The king pretended the highest anger at this address, which he represented as a dangerous encroachment upon his prerogative. He reproved the commons in severe terms, and ordered them immediately to be adjourned.

It is certain that this (May 8) was the critical moment when the king both might with ease have preserved the balance of power in Europe, which it has since cost this island great expense of blood and treasure to restore, and might, by perseverance, have at last regained, in some tolerable measure, after all past errors, the confidence of his people. This opportunity being neglected, the wound became incurable, and notwithstanding 'his' momentary appearances of vigour against France and popery, and 'their' momentary inclinations to rely on his faith, 'he' was still believed to be at bottom engaged in the same interests, and 'they' soon elapsed into distrust and jealousy. The secret memoirs of his reign, which have since been published,¹ prove, beyond a doubt, that the king had at this time concerted mea-

¹ Such as the letters, which passed betwixt Danby and Montague, the king's ambassador at Paris (Temple's Memoirs, and his Letters). In these last, we see that the king never made any proposals of terms but what were advantageous to France, and the Prince of Orange believed them to have always been concerted with the French ambassador (vol. 1, p. 439).

In Sir John Dalrymple's Appendix, p. 103, it appears that the king had signed himself, without the participation of his ministers, a secret treaty with France, and had obtained a pension on the promise of his neutrality—a fact, which renders his 'royal word,' solemnly given to his subjects, one of the most dishonourable and most scandalous acts that ever preceded from a throne.

tures with France, and had no intention to enter into a war in favour of the allies. He had entertained no view, therefore, even when he pawned his ROYAL WORD to his people, than to procure a grant of money; and he trusted that, while he eluded their expectations, he could not afterwards want pretences for palliating his conduct.

Negotiations meanwhile were carried on between France and Holland, and an eventual treaty was concluded, that is, all their differences were adjusted, provided they could afterwards satisfy their allies on both sides. This work, though in appearance difficult, seemed to be extremely forwarded, by farther bad successes on the part of the confederates, and by the great impatience of the Hollanders, when a new event happened, which promised a more prosperous issue to the quarrel with France, and revived the hopes of all the English who understood the interests of their country.

The king saw, with regret, the violent discontents which prevailed in the nation, and which seemed every day to augment upon him. Desirous by his natural temper to be easy himself, and to make everybody else easy, he sought expedients to appease those murmurs, which, as they were very disagreeable for the present, might in their consequences prove extremely dangerous. He knew, that, during the late war with Holland, the malcontents at home had made applications to the Prince of Orange, and if he continued still to neglect the prince's interests, and to thwart the inclinations of his own people, he apprehended lest their common complaints should cement a lasting union between them. He saw that the religion of the duke inspired the nation with dismal apprehensions, and though he had obliged his brother to allow the young princesses to be educated in the protestant faith, something farther, he thought, was necessary, in order to satisfy the nation. He entertained, therefore, proposals for marrying the Prince of Orange to the Lady Mary, the elder princess, and heir-apparent to the crown (for the duke had no male issue), and he hoped, by so tempting an offer, to engage him entirely in his interests. A peace he purposed to make, such as would satisfy France, and still preserve his connections with that crown, and he intended to sanctify it by the approbation of the prince, whom he found to be extremely revered in England, and respected throughout Europe. All the reasons for this alliance were seconded by the solicitations of Danby, and also of Temple, who was at that time in England, and Charles at last granted permission to the prince, when the campaign should be over, to pay him a visit.

The king very graciously received (Oct 10) his nephew at Newmarket. He would have entered immediately upon business, but the prince desired first to be acquainted with the Lady Mary, and he declared that, contrary to the usual sentiments of persons of his rank, he placed a great part of happiness in domestic satisfaction, and would not, upon any consideration of interest or politics, match himself with a person disagreeable to him. He was introduced to the princess, whom he found in the bloom of youth, and extremely amiable both in her person and her behaviour. The king now thought, that he had a double tie upon him, and might safely expect his compliance with every proposal. He was surprised to find the prince decline all dis-

course of business, and refuse to concert any terms for the general peace, till his marriage should be finished. He foresaw, he said, from the situation of affairs, that his allies were likely to have hard terms; and he never would expose himself to the reproach of having sacrificed their interests to promote his own purposes. Charles still believed, notwithstanding the cold, severe manner of the prince, that he would abate of this rigid punctilio of honour, and he protracted the time, hoping, by his own insinuation and address, as well as by the allurements of love and ambition, to win him to complance. One day, Temple found the prince in very bad humour, repenting that he had ever come to England, and resolute in a few days to leave it. But before he went, the king, he said, must chuse the terms on which they should hereafter live together. He was sure it must be like the greatest friends or the greatest enemies. and he desired Temple to inform his master next morning of these intentions. Charles was struck with this menace, and foresaw how the prince's departure would be interpreted by the people. He resolved, therefore, immediately to yield with a good grace, and, having paid a compliment to his nephew's honesty, he told Temple, that the marriage was concluded, and desired him to inform the duke of it, as of an affair already resolved on. The duke seemed surprised, but yielded a prompt obedience. which, he said, was his constant maxim to whatever he found to be the king's pleasure. No measure during this reign gave such general satisfaction. All parties strove who should most applaud it. And even Arlington, who had been kept out of the secret, told the prince, 'That some things, good in themselves, were spoiled by the manner of doing them, as some things bad were mended by it, but he would confess, that this was a thing so good in itself, that the manner of doing it could not spoil it.'

This marriage was a great surprise to Lewis, who, accustomed to govern everything in the English court, now found so important a step taken, not only without his consent, but without his knowledge or participation. A conjunction of England with the allies, and a vigorous war in opposition to French ambition, were the consequences immediately expected, both abroad and at home. but to check these sanguine hopes, the king, a few days after the marriage, prolonged the adjournment of the parliament from the third of December to the fourth of April. This term was too late for granting supplies, or making preparations for war, and could be chosen by the king for no other reason, than as an atonement to France for his consent to the marriage. It appears, also, that Charles secretly received from Lewis the sum of two millions of livres on account of this important service (Dalrymple's Appendix, p. 112).

The king, however, entered into consultations with the prince, together with Danby and Temple, concerning the terms which it would be proper to require of France. After some debate, it was agreed, that France should restore Lorraine to the duke, with Tournay, Valenciennes, Condé, Aeth, Charleroi, Courtray, Oudenarde, and Binche to Spain, in order to form a good frontier for the Low Countries. The prince insisted that Franche-comté should likewise be restored, and Charles thought, that, because he had patrimonial

estates of great value in that province, and deemed his property more secure in the hands of Spain, he was engaged by such views to be obstinate in that point but the prince declared, that to procure but one good town to the Spaniards in Flanders, he would willingly relinquish all those possessions. As the king still insisted on the impossibility of wresting Franche-comté from Lewis, the prince was obliged to acquiesce.

Notwithstanding this concession to France, the projected peace was favourable to the allies, and it was a sufficient indication of vigour in the king, that he had given his assent to it. He farther agreed to send over a minister instantly to Paris, in order to propose these terms. This minister was to enter into no treaty he was to allow but two days for the acceptance or refusal of the terms upon the expiration of these, he was presently to return and in case of refusal, the king promised to enter immediately into the confederacy. To carry so imperious a message, and so little expected from the English court, Temple was the person pitched on, whose declared aversion to the French interest was not likely to make him fail of vigour and promptitude in the execution of his commission.

But Charles next day felt a relenting in this assumed vigour. Instead of Temple he dispatched the Earl of Feversham, a creature of the duke's, and a Frenchman by birth and he said that the message being harsh in itself, it was needless to aggravate it by a disagreeable messenger. The prince left London, and the king, at his departure, assured him that he never would abate in the least point of the scheme concerted, and would enter into war with Lewis, if he rejected it.

Lewis received the message with seeming gentleness and complacency. He told Feversham, that the king of England well knew, that he might always be master of the peace, but some of the towns in Flanders, it seemed very hard to demand, especially Tournay, upon whose fortifications such immense sums had been expended. he would therefore take some short time to consider of an answer. Feversham said, that he was limited to two days' stay but when that time was elapsed, he was prevailed on to remain some few days longer, and he came away at last without any positive answer. Lewis said, that he hoped his brother would not break with him for one or two towns and with regard to them, too, he would send orders to his ambassador at London to treat with the king himself. Charles was softened by the softness of France; and the blow was thus artfully eluded. The French ambassador, Barillon, owned at last, that he had orders to yield all except Tournay, and even to treat about some equivalent for that fortress, if the king absolutely insisted upon it. The prince was gone, who had given spirit to the English court, and the negotiation began to draw out into messages and returns from Paris.

By intervals, however, the king could rouse himself, and show still some firmness and resolution. Finding that affairs were not likely to come to any conclusion with France, he summoned, notwithstanding the long adjournment, the parliament on Jan. 15, an unusual measure, and capable of giving alarm to the French court. Temple was sent for to the council, and the king told him, that he intended he should

go to Holland, in order to form a treaty of alliance with the States; and that the purpose of it should be, like the triple league, to force both France and Spain to accept of the terms proposed. Temple was sorry to find this act of vigour qualified by such a regard to France, and by such an appearance of indifference and neutrality between the parties. He told the king, that the resolution agreed on, was to begin the war in conjunction with all the confederates, in case of no direct and immediate answer from France: that this measure would satisfy the prince, the allies, and the people of England, advantages which could not be expected from such an alliance with Holland alone: that France would be disobliged, and Spain likewise, nor would the Dutch be satisfied with such a faint imitation of the triple league, a measure concerted when they were equally at peace with both parties. For these reasons, Temple declined the employment, and Lawrence Hyde, second son of Chancellor Clarendon, was sent in his place.

The Prince of Orange could not regard (1678) without contempt such symptoms of weakness and vigour conjoined in the English counsels. He was resolved, however, to make the best of a measure which he did not approve, and as Spain secretly consented, that her ally should form a league, which was seemingly directed against her as well as France, but which was to fall only on the latter, the States (Jan. 6) concluded the treaty in the terms proposed by the king.

Meanwhile the English parliament met (Jan. 28) after some new adjournments, and the king was astonished, that, notwithstanding the resolute measures which, he thought, he had taken, great distrust and jealousy and discontent were apt, at intervals, still to prevail among the members. Though in his speech he had allowed, that a good peace could no longer be expected from negotiation, and assured them, that he was resolved to enter into a war for that purpose, the commons did not forbear to insert in their reply several harsh and even unreasonable clauses. Upon his reproving them, they seemed penitent, and voted, that they would assist his majesty in the prosecution of the war. A fleet of 90 sail, an army of 30,000 men, and 1,000,000*l.* were also voted. Great difficulties were made by the commons with regard to the army, which the house, judging by past measures, believed to be intended more against the liberties of England than against the progress of the French monarch. To this perilous situation had the king reduced both himself and the nation. In all debates, severe speeches were made, and were received with seeming approbation: the duke and the treasurer began to be apprehensive of impeachments: many motions against the king's ministers were lost by a small majority: the commons appointed a day to consider the state of the kingdom with regard to popery: and they even went so far as to vote, that, how urgent soever the occasion, they would lay no further charge on the people, till secured against the prevalence of the catholic party. In short, the parliament was impatient for war whenever the king seemed averse to it, but grew suspicious of some sinister design as soon as he complied with their requests, and seemed to enter into their measures.

The king was enraged at this last vote: he reproached Temple with his popular notions, as he termed them; and asked him how he

thought the house of commons could be trusted for carrying on the war, should it be entered on, when in the very commencement they made such declarations. The uncertainties indeed of Charles's conduct were so multiplied, and the jealousies on both sides so incurable, and even those who approached nearest the scene of action could not determine, whether the king ever seriously meant to enter into a war, or whether, if he did, the house of commons would not have taken advantage of his necessities, and made him purchase supplies by a great sacrifice of his authority (Temple, vol 1 p 461)

The king of France knew how to avail himself of all the advantages which these distractions afforded him. By his emissaries, he represented to the Dutch, the imprudence of their depending on England, where an indolent king, averse to all war, especially with France, and irresolute in his measures, was actuated only by the uncertain breath of a factious parliament. To the aristocratical party, he remarked the danger of the prince's alliance with the royal family of England, and revived their apprehensions, lest, in imitation of his father, who had been honoured with the same alliance, he should violently attempt to enlarge his authority, and enslave his native country. In order to enforce these motives with farther terrors, he (A D 1678) himself took the field very early in the spring, and after threatening Luxembourgh, Mons, and Namur, he suddenly sat down before Ghent and Ypres, and in a few weeks made himself master of both places. This success gave great alarm to the Hollanders, who were no wise satisfied with the conduct of England, or with the ambiguous treaty lately concluded, and it quickened all their advances towards an accommodation.

Immediately after the parliament had voted the supply, the king began to enlist forces, and such was the ardour of the English for a war with France, that an army of above 20,000 men, to the astonishment of Europe, was completed in a few weeks. Thrice thousand men under the Duke of Monmouth, were sent over to secure Ostend: some regiments were recalled from the French service. A fleet was fitted out with great diligence, and a quadruple alliance was projected between England, Holland, Spain, and the Emperor.

But these vigorous measures received a sudden damp from a passionate address of the lower house, in which they justified all their past proceedings that had given disgust to the king, desired to be acquainted with the measures taken by him, prayed him to dismiss evil counsellors, and named in particular the Duke of Lauderdale, on whose removal they strenuously insisted. The king told them that their address was so extravagant, that he was not willing speedily to give it the answer which it deserved. And Charles began again to lend an ear to the proposals of Lewis, who offered him great sums of money, if he would consent to France's making an advantageous peace with the allies.

Temple, though pressed by the king, refused to have any concern in so dishonourable a negotiation: but he informs us, that the king said, there was one article proposed which so incensed him that, as long as he lived, he should never forget it. Sir William goes no farther, but the editor of his works, the famous Dr Swift, says, that the French, before they would agree to any payment, required as a preliminary,

that the king should engage never to keep above 8000 regular troops in Great Britain¹ Charles broke into a passion 'Cod's fish,' said he, his usual oath, 'does my brother of France think to serve me thus? Are all his promises to make me absolute master of my people come to this? Or does he think "that" a thing to be done with eight thousand men?'

Van Beveining was the Dutch ambassador at Nimeguen, a man of great authority with the States. He was eager for peace, and was persuaded, that the reluctance of the king, and the jealousies of the parliament, would for ever disappoint the allies in their hopes of succour from England. Orders were sent him by the States to go to the French king at Ghent, and to concert the terms of a general treaty, as well as procure a present truce, for six weeks. The terms agreed on were much worse for the Spaniards, than those which had been planned by the king and the Prince of Orange. Six towns, some of them of no great importance, were to be restored to them but Ypres, Condé, Valenciennes, and Tournay, in which consisted the chief strength of their frontier, were to remain with France.

Great murmurs arose in England when it was known that Flanders was to be left in so defenceless a condition. The chief complaints were levelled against the king, who, by his concurrence at first, by his favour afterwards, and by his delays at last, had raised the power of France to such an enormous height, that it threatened the general liberties of Europe. Charles, uneasy under these imputations, dreading the consequence of losing the affections of his subjects, and perhaps disgusted with the secret article proposed by France, began to wish heartily for war, which, he hoped, would have restored him to his ancient popularity.

An opportunity unexpectedly offered itself for his displaying these new dispositions. While the ministers at Nimeguen were concerting the terms of a general treaty, the Marquis de Balbases, the Spanish ambassador, asked the ambassadors of France, at what time France intended to restore the six towns in Flanders. They made no difficulty in declaring that the king, their master, being obliged to see an entire restitution made to the Swedes of all they had lost in the war, could not evacuate these towns till that crown had received satisfaction, and that this detention of places was the only means to induce the powers of the north to accept of the peace.

The States immediately gave the king intelligence of a pretension, which might be attended with such dangerous consequences. The king was both surprised and angry. He immediately dispatched Temple to concert with the States vigorous measures for opposing France. Temple in six days (July 16) concluded a treaty, by which Lewis was obliged to declare, within sixteen days after the date, that he would presently evacuate the towns and in case of his refusal, Holland was bound to continue the war and England to declare immediately against France, in conjunction with the confederacy.

All these warlike measures were so ill seconded by the parliament, where even the French ministers were suspected, with

¹ To wit, 3000 men for Scotland, and the usual guards and garrisons in England, amounting to near 5000 men (Dalrymple's App. p. 167)

reason,¹ of carrying on some intrigues, that the commons renewed their former jealousies against the king, and voted the army immediately to be disbanded. The king, by a message, represented the danger of disarming before peace was finally concluded, and he recommended to their consideration, whether he could honourably recall his forces from those towns in Flanders, which were put under his protection, and which had at present no other means of defence. The commons agreed to prolong the term with regard to these forces. Everything, indeed, in Europe bore the appearance of war. France had positively declared that she would not evacuate the six towns before the requisite cession was made to Sweden, and her honour seemed now engaged to support that declaration. Spain and the empire, disgusted with the terms imposed by Holland, saw with pleasure the prospect of a powerful support from the new resolutions of Charles. Holland itself, encouraged by the Prince of Orange and his party, was not displeased to find that the war would be renewed on more equal terms. The allied army under that prince was approaching towards Mons, then blockaded by France. A considerable body of English, under the Duke of Monmouth, was ready to join him.

Charles usually passed a great part of his time in the women's apartments, particularly those of the Duchess of Portsmouth, where, among other gay company, he often met with Barillon, the French ambassador, a man of polite conversation, who was admitted into all the amusements of that inglorious but agreeable monarch. It was the charms of this sauntering, easy life, which, during his later years, attached Charles to his mistresses. By the insinuations of Barillon, and the Duchess of Portsmouth, an order was, in an unguarded hour, procured, which instantly changed the face of affairs in Europe. One Du Cros, a French fugitive monk, was sent to Temple, directing him to apply to the Swedish ambassador, and persuade him not to insist on the conditions required by France, but to sacrifice to general peace

¹ Sir John Dalrymple, in his Appendix, has given us, from Barillon's dispatches in the Secretary's office at Paris, a more particular detail of these intrigues. They were carried on with Lord Russell, Lord Hollis, Lord Beishue, the Duke of Buckingham, Algernon Sydney, Montague, Bulstrode, Col Titus, Sir Ed Huley, Sir John Baber, Sir Roger Hill, Boscawen, Littleton, Powle, Harbord, Hampden, Sir Tho Armstrong, Hotham, Herbert, and some others of less note. Of these, Lord Russell and Lord Hollis alone refused to touch any French money: all the others received presents or bribes from Barillon. But we are to remark, that the party views of these men, and their well-founded jealousies of the king and duke, engaged them, independently of the money, into the same measures that were suggested to them by the French ambassador. The intrigues of France, therefore, with the parliament were a mighty small engine in the political machine. Those with the king, which have always been known, were of infinitely greater consequence. The sums distributed to all these men, excepting Montague, did not exceed 16,000*l* in three years, and therefore could have little weight in the two houses, especially when opposed to the influence of the crown. Accordingly we find, in all Barillon's dispatches, a great anxiety that the parliament never should be assembled. The conduct of these English patriots was more mean than criminal, and Monsieur Courten says, that 200,000 livres employed by the Spaniards and Germans, would have more influence than 2,000,000 distributed by France (see Sir J Dalrymple's App p xxx). It is amusing to observe the general, and I may say national, rage excited by the late discovery of this secret negotiation, chiefly on account of Algernon Sydney, whom the blind prejudices of party had exalted into a hero. His ingratitude and breach of faith, in applying for the king's pardon, and immediately on his return entering into cabals for rebellion, form a conduct much more criminal than the taking of French gold: yet the former circumstance was always known, and always disregarded. But everything connected with France is supposed, in England, to be polluted beyond all possibility of expiation. Even Lord Russell, whose conduct in this negotiation was only factious, and that in an ordinary degree, is imagined to be dishonoured by the same discovery.

those interests of Sweden Du Cros, who had secretly received instructions from Barillon, published everywhere in Holland the commission with which he was intrusted, and all men took the alarm. It was concluded that Charles's sudden alacrity for war was as suddenly extinguished, and that no steady measures could ever be taken with England. The king afterwards, when he saw Temple, treated this important matter in raillery; and said, laughing, that the rogue Du Cros had outwitted them all.

The negotiations, however, at Nimeguen still continued, and the French ambassadors spun out the time till the morning of the critical day, which, by the late treaty between England and Holland was to determine whether a sudden peace or a long war were to have place in Christendom. The French ambassadors came then to Van Beverning and told him, that they had received orders to consent to the evacuation of the towns, and immediately to conclude and sign the peace. Van Beverning might have refused compliance, because (Aug 1) it was now impossible to procure the consent and concurrence of Spain; but he had entertained so just an idea of the fluctuations in the English counsels, and was so much alarmed by the late commission given to Du Cros, that he deemed it fortunate for the republic to finish on any terms a dangerous war, where they were likely to be very ill supported. The papers were instantly drawn, and signed by the ministers of France and Holland, between eleven and twelve o'clock at night. By this treaty France secured the possession of Franche-comté, together with Cambray, Aire, St. Omers, Valenciennes, Tournay, Ypres, Bouchain, Cassel, &c.; and restored to Spain only Charleroi, Courtrai, Oudenarde, Aeth, Ghent, and Limbourg.

Next day Temple received an express from England, which brought the ratifications of the treaty lately concluded with the States, together with orders immediately to proceed to the exchange of them. Charles was now returned to his former inclinations for war with France.

Van Beverning was loudly exclaimed against by the ambassadors of the allies at Nimeguen, especially those of Brandenburg and Denmark, whose masters were obliged, by the treaty, to restore all their acquisitions. The ministers of Spain and the emperor were sullen and disgusted; and all men hoped, that the States, importuned and encouraged by continual solicitations from England, would disavow their ambassador and renew the war. The Prince of Orange even took an extraordinary step, in order to engage them to that measure, or, perhaps, give vent to his own spleen and resentment. The day after signing the peace at Nimeguen he attacked the French army at St. Dennis near Mons; and gained some advantage over Luxembourg, who rested secure on the faith of the treaty and concluded the war to be finished. The prince knew, at least had reason to believe, that the peace was signed, though it had not been formally notified to him, and he here sacrificed wantonly, without a proper motive, the lives of many brave men on both sides, who fell in this sharp and well-contested action.

Hyde was sent over with a view of persuading the States to disavow Van Beverning, and the king promised, that England, if she might depend on Holland, would immediately declare war, and would pursue it, till France were reduced to reasonable conditions. Charles at present

went farther than words. He hurried on the embarkation of his army for Flanders, and all his preparations wore a hostile appearance. But the States had been too often deceived to trust him any longer. They ratified the treaty signed at Nimègue, and all the other powers of Europe were at last, after much clamour and many disgusts, obliged to accept of the terms prescribed to them.

Lewis had now reached the height of that glory which ambition can afford. His ministers and negotiators appeared as much superior to those of all Europe in the cabinet, as his generals and armies had been experienced in the field. A successful war had been carried on against an alliance, composed of the greatest potentates in Europe. Considerable conquests had been made, and his territories enlarged on every side. An advantageous peace was at last concluded, where he had given the law. The allies were so enraged against each other, that they were not likely to cement soon in any new confederacy. And thus he had, during some years, a real prospect of attaining the monarchy of Europe, and of exceeding the empire of Charlemagne, perhaps equalling that of ancient Rome. Had England continued much longer in the same condition, and under the same government, it is not easy to conceive that he could have failed of his purpose.

In proportion as these circumstances exalted the French, they excited indignation among the English, whose animosity roused by terror, mounted to a great height against that rival nation. Instead of taking the lead in the affairs of Europe, Charles, they thought, had, contrary to his own honour and interest, acted a part entirely subservient to the common enemy, and in all his measures had either no project at all, or such as was highly criminal and dangerous. While Spain, Holland, the emperor, the princes of Germany, called aloud on England to lead them to victory and to liberty, and conspired to raise her to a station more glorious than she had ever before attained, her king, from mean pecuniary motives, had secretly sold his alliance to Lewis, and was bribed into an interest contrary to that of his people. His active schemes, in conjunction with France, were highly pernicious; his neutrality was equally ignominious; and the jealous, refractory behaviour of the parliament, though in itself dangerous, was the only remedy for so many greater ills, with which the public, from the misguided counsels of the king, was so nearly threatened. Such were the dispositions of men's minds at the conclusion of the peace of Nimègue, and these dispositions naturally prepared the way for the events which followed.

We must now return to the affairs of Scotland, which we left in some disorder, after the suppression of the insurrection in 1666. The king, who at that time endeavoured to render himself popular in England, adopted like measures in Scotland, and he entrusted the government into the hands chiefly of Tweeddale, and Sir Robert Murray, men of prudence and moderation. These ministers made it their principal object to compose the religious differences, which ran high, and for which scarcely any modern nation but the Dutch, had as yet found the proper remedy. As rigour and restraint had failed of success in Scotland, a scheme of 'comprehension' was tried, by which it was intended to diminish greatly the authority of bishops, to

abolish their negative voice in the ecclesiastical courts, and to leave them little more than the right of precedency among the presbyters. But the presbyterian zealots entertained great jealousy against this scheme. They remembered, that, by such gradual steps, King James had endeavoured to introduce episcopacy. Should the ears and eyes of men be once reconciled to the name and habit of bishops, the whole power of the function, they dreaded, would soon follow the least communication with unlawful and antichristian institutions they esteemed dangerous and criminal 'touch not, taste not, handle not,' this cry went out amongst them and the king's ministers perceived that they should prostitute the dignity of government, by making advances, to which the malcontents were determined not to correspond.

The next project adopted was that of 'indulgence.' In prosecution of this scheme, the most popular of the expelled preachers, without requiring any terms of submission to the established religion, were settled in vacant churches, and small salaries of about 20*l* a-year were offered to the rest, till they should otherwise be provided for. These last refused the king's bounty, which they considered as the wages of a criminal silence. Even the former soon repented their compliance. The people, who had been accustomed to hear them rail against their superiors, and preach to the times, as they termed it, deemed their sermons languid and spiritless, when deprived of these ornaments. Their usual gifts, they thought had left them, on account of their submission, which was stigmatized as erastianism. They gave them the appellation, not of ministers of Christ, but of 'the king's curates,' as the clergy of the established church were commonly denominated 'the bishop's curates.' The preachers themselves returned in a little time to their former practices, by which they hoped to regain their former dominion over the minds of men. The conventicles multiplied daily in the west the clergy of the established church were insulted the laws were neglected the covenanters even met daily in arms at their places of worship and though they usually dispersed themselves after divine service, yet the government took a just alarm at seeing men, who were so entirely governed by their seditious teachers, dare to set authority at defiance, and, during a time of full peace, to put themselves in a military posture.

There was here, it is apparent, in the political body, a disease dangerous and inveterate, and the government had tried every remedy, but the true one, to allay and correct it. An unlimited 'toleration,' after sects have diffused themselves, and are strongly rooted, is the only expedient which can allay their fervour, and make the civil union acquire a superiority above religious distinctions. But as the operations of this regimen are commonly gradual, and at first imperceptible, vulgar politicians are apt, for that reason, to have recourse to more hasty and more dangerous remedies. It is observable too, that these non-conformists in Scotland neither offered nor demanded toleration; but laid claim to an entire superiority, and to the exercise of extreme rigour against their adversaries. The covenant, which they idolized, was a persecuting, as well as a seditious band of confederacy; and the government, instead of treating them like madmen, who should be soothed, and flattered, and deceived into tranquillity,

thought themselves entitled to a rigid obedience, and were too apt, from a mistaken policy, to retaliate upon the dissenters, who had erred from the spirit of enthusiasm.

Amidst these disturbances, a new parliament was assembled at Edinburgh (Oct. 19, 1669) ; and Lauderdale was sent down commissioner. The zealous presbyterians, who were the chief patrons of liberty, were too obnoxious to resist, with any success, the measures of government ; and in parliament the tide still ran strongly in favour of monarchy. The commissioner had such influence as to get two acts passed, which were of great consequence to the ecclesiastical and civil liberties of the kingdom. By the one, it was declared, that the settling of all things with regard to the external government of the church was a right of the crown that whatever related to ecclesiastical meetings, matters, and persons, was to be ordered according to such directions as the king should send to his privy council and that these, being published by them, should have the force of laws. The other act regarded the militia, which the king, by his own authority, had two years before established, instead of the army, which was disbanded. By this act the militia was settled, to the number of 22,000 men, who were to be constantly armed, and regularly disciplined. And it was farther enacted, that these troops should be held in readiness to march into England, Ireland, or any part of the king's dominions, for any cause in which his majesty's authority, power, or greatness, was concerned, on receiving orders, not from the king himself, but from the privy council of Scotland.

Lauderdale boasted extremely of his services in procuring these two laws. The king by the former was rendered absolute master of the church, and might legally, by his edict, re-establish, if he thought proper, the catholic religion in Scotland. By the latter, he saw a powerful force ready at his call. he had even the advantage of being able to disguise his orders under the name of the privy council ; and in case of failure in his enterprizes, could, by such a pretence, apologize for his conduct to the parliament of England. But in proportion as these laws were agreeable to the king, they gave alarm to the English commons, and were the chief cause of the redoubled attacks which they made upon Lauderdale. These attacks, however, served only to fortify him in his interest with the king ; and though it is probable that the militia of Scotland, during the divided state of that kingdom, would, if matters had come to extremities, have been of little service against England ; yet did Charles regard the credit of it as a considerable support to his authority : and Lauderdale, by degrees, became the prime, or rather sole, minister for Scotland. The natural indolence of the king disposed him to place entire confidence in a man who had so far extended the royal prerogative, and who was still disposed to render it absolutely uncontrollable.

In a subsequent session of the same parliament (July 28, 1670), a severe law was enacted against conventicles. Ruinous fines were imposed both on the preachers and hearers, even if the meetings had been in houses ; but field conventicles were subjected to the penalty of death, and confiscation of goods : 400 merks Scotch were offered as a reward to those who should seize the criminals ; and they were in-

demnified for any slaughter which they might commit in the execution of such an undertaking. And as it was found difficult to get evidence against these conventicles, however numerous, it was enacted by another law, that whoever, being required by the council, refused to give information upon oath, should be punished by arbitrary fines, by imprisonment, or by banishment to the plantations. Thus all persecution naturally, or rather necessarily, adopts the iniquities, as well as rigours, of the Inquisition. What a considerable part of the society consider as their duty and honour, and even many of the opposite party are apt to regard with compassion and indulgence, can by no other expedient be subjected to such severe penalties as the natural sentiments of mankind appropriate only to the greatest crimes.

Though Lauderdale found this ready compliance in the parliament, a party was formed against him, of which the Duke of Hamilton was the head. This nobleman, with Tweeddale and others, went to London, and applied to the king, who, during the present depression, and insignificance of parliament, was alone able to correct the abuses of Lauderdale's administration. But even their complaints to him might be dangerous, and all approaches of truth to the throne were barred by the ridiculous law against leasing-making, a law which seems to have been extorted by the ancient nobles, in order to protect their own tyranny, oppression, and injustice. Great precautions, therefore, were used by the Scottish malcontents in their representations to the king, but no redress was obtained. Charles loaded them with caresses, and continued Lauderdale in his authority.

A very bad, at least a severe use was made of this authority. The privy council (in 1675) dispossessed twelve gentlemen or noblemen of their houses, which were converted into so many garrisons, established for the suppression of conventicles. The nation, it was pretended, was really, on account of these religious assemblies, in a state of war; and by the ancient law, the king, in such an emergence, was empowered to place a garrison in any house where he should judge it expedient.

It were endless to recount every act of violence and arbitrary authority exercised during Lauderdale's administration. All the lawyers were put from the bar, nay banished, by the king's order, twelve miles from the capital, and by that means the whole justice of the kingdom was suspended for a year, till these lawyers were brought to declare it as their opinion, that all appeals to parliament were illegal. A letter was procured from the king, for expelling twelve of the chief magistrates of Edinburgh, and declaring them incapable of all public office, though their only crime had been their want of compliance with Lauderdale. The burroughs of Scotland have a privilege of meeting once a-year by their deputies, in order to consider the state of trade, and make bye-laws for its regulation. In this convention a petition was voted, complaining of some late acts, which obstructed commerce, and praying the king that he would empower his commissioner, in the next session of parliament, to give his assent for repealing them. For this presumption, as it was called, several of the members were fined and imprisoned. One More, a member of parliament, having moved in the house, that, in imitation of the English

parliament, no bill should pass except after three readings, he was, for this pretended offence, sent to prison by the commissioner.

The private deportment of Lauderdale was as insolent and provoking as his public administration was violent and tyrannical. Justice likewise was universally perverted by faction and interest, and from the great rapacity of that duke, and still more of his duchess, all offices and favours were openly put to sale. No one was allowed to approach the throne who was not dependent on him, and no remedy could be hoped for or obtained against his manifold oppressions. The case of Mitchel shows, that this minister was as much destitute of truth and honour, as of lenity and justice.

Mitchel was a desperate fanatic, and had entertained a resolution of assassinating Sharpe, Archbishop of St Andrews, who, by his former apostasy and subsequent rigour, had rendered himself extremely odious to the covenanters. In the year 1668, Mitchel fired a pistol at the primate, as he was sitting in his coach, but the Bishop of Orkney, stepping into the coach, happened to stretch out his arm, which intercepted the ball, and was much shattered by it. This happened in the principal street of the city, but so generally was the archbishop hated, that the assassin was allowed peaceably to walk off, and having turned a secret or two, and thrown off a wig, which disguised him, he immediately appeared in public, and remained altogether unsuspected. Some years after, Sharpe remarked one, who seemed to eye him very eagerly, and being still anxious lest an attempt of assassination should be renewed, he ordered the man to be seized and examined. Two loaded pistols were found upon him, and as he was now concluded to be the author of the former attempt, Sharpe promised, that, if he would confess his guilt, he should be dismissed without any punishment. Mitchel (for the conjecture was just) was so credulous as to believe him, but was immediately produced before the council by the faithless primate. The council, having no proof against him, but hoping to involve the whole body of covenanters in this odious crime, solemnly renewed the promise of pardon, if he would make a full discovery; and it was a great disappointment to them, when they found, upon his confession, that only one person, who was now dead, had been acquainted with his bloody purpose. Mitchel was then carried before a court of judicature, and required to renew his confession, but, being apprehensive lest, though a pardon for life had been promised him, other corporal punishment might still be inflicted, he refused compliance, and was sent back to prison. He was next examined before the council, under pretence of his having been concerned in the insurrection at Pentland, and though no proof appeared against him, he was put to the question, and, contrary to the most obvious principles of equity, was urged to accuse himself. He endured the torture with singular resolution, and continued obstinate in the denial of a crime, of which, it is believed, he really was not guilty. Instead of obtaining his liberty, he was sent to the Bass, a very high rock, surrounded by the sea; at this time converted into a state prison, and full of the unhappy covenanters. He there remained in great misery, loaded with irons, till the year 1677, when it was resolved by some new examples to strike a fresh terror into the persecuted, but still obstinate enthu-

siasts. Mitchel was then brought before a court of judicature, and put upon his trial, for an attempt to assassinate an archbishop and a privy-councillor. His former confession was pleaded against him, and was proved by the testimony of the Duke of Lauderdale, Lord Commissioner, Lord Hatton his brother, the Earl of Rothes, and the primate himself. Mitchel, besides maintaining that the privy-council was no court of judicature, and that a confession before them was not judicial, asserted, that he had been engaged to make that confession by a solemn promise of pardon. The four privy-councillors denied upon oath that any such promise had ever been given. The prisoner then desired that the council-books might be produced in court; and even offered a copy of that day's proceedings to be read, but the privy-councillors maintained, that, after they had made oath, no farther proof could be admitted, and that the books of council contained the king's secrets, which were on no account to be divulged. They were not probably aware, when they swore, that the clerk, having engrossed the promise of pardon in the narrative of Mitchel's confession, the whole minute had been signed by the chancellor, and that the proofs of their perjury were by that means committed to record. Though the prisoner was condemned, Lauderdale was still inclined to pardon him; but the unrelenting primate rigorously insisted upon his execution; and said, that if assassins remained unpunished, his life must be exposed to perpetual danger. Mitchel was accordingly executed at Edinburgh in January, 1678. Such a complication of cruelty and treachery shews the character of those ministers to whom the king had, at this time, intrusted the government of Scotland.

Lauderdale's administration, besides the iniquities arising from the violence of his temper, and the still greater iniquities inseparable from all projects of persecution, was attended with other circumstances, which engaged him in severe and arbitrary measures. An absolute government was to be introduced, which on its commencement is often most rigorous; and tyranny was still obliged, for want of military power, to cover itself under an appearance of law, a situation which rendered it extremely awkward in its motions, and by provoking opposition, extended the violence of its oppressions.

The rigours exercised against conventicles, instead of breaking the spirit of the fanatics, had tended only, as is usual, to render them more obstinate, to increase the fervour of their zeal, to link them more closely together, and to inflame them against the established hierarchy. The commonalty, almost everywhere in the south, particularly in the western counties, frequented conventicles without reserve, and the gentry, though they themselves commonly abstained from these illegal places of worship, connived at this irregularity in their inferiors. In order to interest the former on the side of the persecutors, a bond or contract was, by order of the privy council, tendered to the landlords in the west, by which they were to engage for the good behaviour of their tenants; and in case any tenant frequented a conventicle, the landlord was to subject himself to the same fine as could by law be exacted from the delinquent. It was ridiculous to give sanction to laws by voluntary contracts: it was iniquitous to make one man answerable for the conduct of another: it was illegal to impose such

hard conditions upon men, who had no wise offended. For these reasons, the greater part of the gentry refused to sign these bonds; and Lauderdale, enraged at this opposition, endeavoured to break their spirit by expedients, still more unusual and more arbitrary.

The law enacted against conventicles, had called them seminaries of rebellion. This expression, which was nothing but a flourish of rhetoric, Lauderdale and the privy council were willing to understand in a literal sense, and because the western counties abounded in conventicles, though otherwise in profound peace, they pretended that these counties were in a state of actual war and rebellion. They made therefore an agreement with some highland chieftains to call out their clans, to the number of 8,000 men to these they joined the guards, and the militia of Angus and they sent the whole to live at free quarters upon the lands of such as had refused the bonds illegally required of them. The obnoxious counties were the most populous and most industrious in Scotland. The highlanders were the people the most disorderly and the least civilized. It is easy to imagine the havoc and destruction which ensued. A multitude, not accustomed to discipline, averse to the restraint of laws, trained up in rapine and violence, were let loose amidst those whom they were taught to regard as enemies to their prince and to their religion. Nothing escaped their ravenous hands by menaces, by violence, and sometimes by tortures, men were obliged to discover their concealed wealth. Neither age, nor sex, nor innocence afforded protection and the gentry, finding that even those who had been most compliant, and who had subscribed the bonds, were equally exposed to the rapacity of those barbarians, confirmed themselves still more in the resolution of refusing them. The voice of the nation was raised against this enormous outrage, and after two months' free quarters, the highlanders were sent back to their hills, loaded with the spoils and execrations of the west.

Those who had been engaged to subscribe the bonds, could find no security but by turning out such tenants as they suspected of an inclination to conventicles, and thereby depopulating their estates. To increase the misery of these unhappy farmers, the council enacted, that none should be received any where, or allowed a habitation, who brought not a certificate of his conformity from the parish-minister. That the obstinate and refractory might not escape farther persecution, a new device was fallen upon. By the law of Scotland, any man, who should go before a magistrate, and swear that he thought himself in danger from another, might obtain a writ of 'law burrows,' as it is called, by which the latter was bound, under the penalty of imprisonment and outlawry, to find security for his good behaviour. Lauderdale entertained the absurd notion of making the king sue out writs of law-burrows against his subjects. On this pretence, the refusers of the bonds were summoned to appear before the council, and were required to bind themselves, under the penalty of two years' rent, neither to frequent conventicles themselves, nor allow their family and tenants to be present at those unlawful assemblies. Thus chicanery was joined to tyranny, and the majesty of the king, instead of being exalted, was in reality prostituted; as if he were obliged to seek the same security, which one neighbour might require of another.

It was an old law, but seldom executed, that a man, who was accused of any crime, and did not appear, in order to stand his trial, might be 'intercommuned,' that is, he might be publicly outlawed, and whoever afterwards, either on account of business, relation, nay charity, had the least intercourse with him, was subjected to the same penalties as could by law be inflicted on the criminal himself. Several writs of intercommuning were now issued against the hearers and preachers in conventicles, and by this severe and even absurd law, crimes and guilt went on multiplying in a geometrical proportion. Where laws themselves are so violent, it is no wonder that an administration should be tyrannical.

Lest the cry of an oppressed people should reach the throne, the council forbade, under severe penalties, all noblemen or gentlemen of landed property to leave the kingdom: a severe edict, especially where the sovereign himself resided in a foreign country. Notwithstanding this act of council, Cassilis first, afterwards Hamilton and Tweeddale, went to London, and laid their complaints before the king. These violent proceedings of Lauderdale were opposite to the natural temper of Charles; and he immediately issued orders for discontinuing the bonds and the writs of law-burrows. But as he was commonly little touched with what lay at a distance, he entertained not the proper indignation against those who had abused his authority: even while he retracted these oppressive measures, he was prevailed with to avow and praise them, in a letter which he wrote to the privy council. This proof of confidence might fortify the hands of the ministry, but the king ran a manifest risk of losing the affections of his subjects, by not permitting, even those who were desirous of it, to distinguish between him and their oppressors.

It is reported (Burnet), that Charles, after a full hearing of the debates concerning Scottish affairs, said, 'I perceive, that Lauderdale has been guilty of many bad things against the people of Scotland; but I cannot find that he has acted anything contrary to my interest.' A sentiment unworthy of a sovereign!

During the absence of Hamilton and the other discontented lords, the king allowed Lauderdale to summon a convention of estates at Edinburgh. This assembly, besides granting some money, bestowed applause on all Lauderdale's administration, and in their addresses to the king, expressed the highest contentment and satisfaction. But these instances of complaisance had the contrary effect in England from what was expected by the contrivers of them. All men there concluded, that in Scotland the very voice of liberty was totally suppressed; and that, by the prevalence of tyranny, grievances were so rivetted that it was become dangerous even to mention them, or complain to the prince, who alone was able to redress them. From the slavery of the neighbouring kingdom, they inferred the arbitrary disposition of the king; and from the violence with which sovereign power was there exercised, they apprehended the miseries, which might ensue to themselves upon their loss of liberty. If persecution, it was asked, by a protestant church could be carried to such extremes, what might be dreaded from the prevalence of popery, which had ever, in all ages, made open profession of exterminating by fire and sword every oppo-

site sect or communion? And if the first approaches towards unlimited authority were so tyrannical, how dismal its final establishment; when all dread of opposition should at last be removed by mercenary armies, and all sense of shame by long and inveterate habit?

CHAPTER LXVII.

The popish plot—Oates's narrative—and character—Coleman's letters—Godfrey's murder—General consternation—The parliament—Zeal of the parliament—Bedloe's narrative—Accusation of Danby—His impeachment—Dissolution of the Long Parliament—Its character—Trial of Coleman—Of Ireland—New elections—Duke of Monmouth—Duke of York retires to Brussels—New parliament—Danby's impeachment—Popish plot—New council—Limitations on a popish successor—Bill of exclusion—Habeas corpus bill—Prorogation and dissolution of the parliament—Trial and execution of the five Jesuits—and of Langhorne—Wakeman acquitted—State of affairs in Scotland—The battle of Bothwell-bridge.

THE English nation, ever since the fatal league with France, had entertained violent jealousies against the court; and the subsequent measures, adopted by the king, had tended more to increase than cure the general prejudices. Some mysterious design was (A.D. 1678) still suspected in every enterprise and profession arbitrary power and popery were apprehended as the scope of all projects. each breath of rumour made the people start with anxiety their enemies, they thought, were in their very bosom, and had gotten possession of their sovereign's confidence. While in this timorous, jealous disposition, the cry of a 'plot' all on a sudden struck their ears they were wakened from their slumbers, and, like men affrightened and in the dark, took every figure for a spectre. The terror of each man became the source of terror to another. And an universal panic being diffused, reason and argument, and common sense, and common humanity, lost all influence over them. From this disposition of men's minds we are to account for the progress of the POPISH PLOT, and the credit given to it; an event which would otherwise appear prodigious and altogether inexplicable.

On August 12, one Kirby, a chemist, accosted the king, as he was walking in the park. 'Sir,' said he, 'keep within the company. your enemies have a design upon your life, and you may be shot in this very walk.' Being asked the reason of these strange speeches, he said, that two men, called Grove and Pickering, had engaged to shoot the king, and Sir Geo. Wakeman, the queen's physician, to poison him. This intelligence, he added, had been communicated to him by Doctor Tongue, whom, if permitted, he would introduce to his majesty. Tongue was a divine of the Church of England; a man active, restless, full of projects, void of understanding. He brought papers to the king, which contained information of a plot, and were digested into forty-

three articles. The king, not having leisure to peruse them, sent them to the treasurer, Danby, and ordered the two informers to lay the business before that minister. Tongue confessed to Danby, that he himself had not drawn the papers, that they had been secretly thrust under his door, and that, though he suspected, he did not certainly know, who was the author. After a few days he returned, and told the treasurer, that his suspicions, he found, were just, and that the author of the intelligence, whom he met twice or thrice in the street, had acknowledged the whole matter, and had given him a more particular account of the conspiracy, but desired, that his name might be concealed, being apprehensive lest the papists should murder him.

The information was renewed with regard to Grove's and Pickering's intentions of shooting the king, and Tongue even pretended that, at a particular time, they were to set out for Windsor with that intention. Orders were given for arresting them as soon as they should appear in that place but though this alarm was more than once renewed, some frivolous reasons were still found by Tongue for their having delayed the journey. And the king concluded, both from these evasions, and from the mysterious, artificial manner of communicating the intelligence, that the whole was an imposture.

Tongue came next to the treasurer, and told him, that a packet of letters, written by jesuits concerned in the plot, was that night to be put into the post-house for Windsor, directed to Bennifield, a jesuit, confessor to the duke. When this intelligence was conveyed to the king, he replied, that the packet mentioned had a few hours before been brought to the duke by Bennifield, who said, that he suspected some bad design upon him, that the letters seemed to contain matters of a dangerous import, and that he knew them not to be the handwriting of the persons whose names were subscribed to them. This incident still further confirmed the king in his incredulity.

The matter had probably slept for ever, had it not been for the anxiety of the duke, who, hearing that priests and Jesuits, and even his own confessor, had been accused, was desirous that a thorough enquiry should be made by the council into the pretended conspiracy. Kirby and Tongue were enquired after, and were now found to be living in close connection with Titus Oates, the person who was said to have conveyed the first intelligence to Tongue. Oates affirmed, that he had fallen under suspicion with the Jesuits, that he had received three blows with a stick, and a box on the ear from the provincial of that order, for revealing their conspiracy; and that, overhearing them speak of their intentions to punish him more severely, he had withdrawn, and concealed himself. This man, in whose breast was lodged a secret, involving the fate of kings and kingdoms, was allowed to remain in such necessity, that Kirby was obliged to supply him with daily bread; and it was a joyful surprise to him, when he heard, that the council was at last disposed to take some notice of his intelligence. But as he expected more encouragement from the public, than from the king or his ministers, he thought proper, before he was presented to the council, to go with his two companions to Sir Edmonsbury Godfrey, a noted and active justice of peace, and to give evidence before him of all the articles of the conspiracy.

The wonderful intelligence, which Oates conveyed both to Godfrey and the council, and afterwards to the parliament, was to this purpose (Oates's narrative) The pope, he said, on examining the matter in the congregation 'de propaganda,' had found himself entitled to the possession of England and Ireland on account of the heresy of prince and people, and had accordingly assumed the sovereignty of these kingdoms. This supreme power he had thought proper to delegate to the society of Jesuits, and de Oliva, general of that order, in consequence of the papal grant, had exerted every act of regal authority, and particularly had supplied, by commissions under the seal of the society, all the chief offices, both civil and military. Lord Arundell was created chancellor, Lord Powis treasurer, Sir William Godolphin privy seal, Coleman secretary of state, Langhorne attorney general, Lord Bellasis, general of the papal army, Lord Peters, lieutenant general, Lord Stafford, pay master, and inferior commissions, signed by the provincial of the Jesuits, were distributed all over England. All the dignities too of the church were filled, and many of them with Spaniards and other foreigners. The provincial had held a consult of the Jesuits under his authority, where the king, whom they opprobriously called the Black Bastard, was solemnly tried and condemned as a heretic, and a resolution taken to put him to death. Father Le Shee (for so this great plotter and informer called Father La Chaise, the noted confessor of the French king) had consigned in London 10,000*l* to be paid to any man who should merit it by his assassination. A Spanish provincial had expressed like liberality: the prior of the Benedictines was willing to go the length of 6000*l*, the Dominicans approved of the action, but pleaded poverty. Ten thousand pounds had been offered to Sir Geo. Wakeman, the queen's physician, who demanded 15,000*l* as a reward for so great a service: his demand was complied with, and 5000*l* had been paid him by advance. Lest this means should fail, four Irish ruffians had been hired by the Jesuits, at the rate of twenty guineas a-piece, to stab the king at Windsor; and Coleman, secretary to the late Duchess of York, had given the messenger, who carried them orders, a guinea to quicken his diligence. Grove and Pickering were also employed to shoot the king with silver bullets: the former was to receive the sum of 1,500*l*, the latter, being a pious man, was to be rewarded with 30,000 masses, which, estimating masses at a shilling a-piece, amounted to a like value. Pickering would have executed his purpose, had not the flint at one time dropped out of his pistol, at another time the priming. Coniers, the Jesuit, had bought a knife at the price of ten shillings, which he thought was not dear, considering the purpose for which he intended it, to wit stabbing the king. Letters of subscription were circulated among the catholics all over England to raise a sum for the same purpose. No less than fifty Jesuits had met in May last, at the White-horse tavern, where it was unanimously agreed to put the king to death. This synod did afterwards, for more convenience, divide themselves into many lesser cabals or companies, and Oates was employed to carry notes and letters from one to another, all tending to the same end, of murdering the king. He even carried, from one company to another, a paper, in which they formally expressed their resolution of executing that deed, and it

was regularly subscribed by all of them. A wager of 100*l.* was laid, and stakes made, that the king should eat no more Christmas pies. In short, it was determined, to use the expression of a Jesuit, that if he would not become R. C. (Roman Catholic) he should no longer be C. R. (Charles Rex). The great fire of London had been the work of the Jesuits, who had employed 80 or 86 persons for that purpose, and had expended 700 fire-balls; but they had a good return for their money, for they had been able to pilfer goods from the fire to the amount of 14,000*l.* The Jesuits had also raised another fire on St. Margaret's Hill, whence they had stolen goods to the value of 2000*l.* Another at Southwark: and it was determined in like manner to burn all the chief cities in England. A paper model was already framed for the firing of London; the stations were regularly marked out, where the several fires were to commence, and the whole plan of operations was so concerted, that precautions were taken by the Jesuits to vary their measures, according to the variation of the wind. Fire-balls were familiarly called among them Tewksbury mustard pills, and were said to contain a notable biting sauce. In the great fire, it had been determined to murder the king, but he had displayed such diligence and humanity in extinguishing the flames, that even the Jesuits relented, and spared his life. Besides these assassinations and fires, insurrections, rebellions, and massacres, were projected by that religious order in all the three kingdoms. There were 20,000 catholics in London, who would rise in four-and-twenty hours or less, and Jennison, a Jesuit, said, that they might easily cut the throats of 100,000 protestants. Eight thousand catholics had agreed to take arms in Scotland. Ormond was to be murdered by four Jesuits, a general massacre of the Irish protestants was concerted, and 40,000 black pills were already provided for that purpose. Coleman had remitted 200,000*l.* to promote the rebellion in Ireland, and the French king was to land a great army in that island. Poole, who wrote the Synopsis, was particularly marked out for assassination, as was also Dr. Stillingfleet, a controversial writer against the papists. Burnet tells us, that Oates paid him the same compliment. After all this havoc, the crown was to be offered to the duke, but on the following conditions; that he receive it as a gift from the pope, that he confirm all the papal commissions for offices and employments, that he ratify all past transactions, by pardoning the incendiaries, and the murderers of his brother and of the people; and that he consent to the utter extirpation of the protestant religion. If he refuse these conditions, he himself was immediately to be poisoned or assassinated. 'To pot James must go,' according to the expression ascribed by Titus Oates to the Jesuits.

Oates, the informer of this dreadful plot, was himself the most infamous of mankind. He was the son of an anabaptist preacher, chaplain to Colonel Pride; but, having taken orders in the church, he had been settled in a small living by the Duke of Norfolk. He had been indicted for perjury, and by some means had escaped. He was afterwards a chaplain on board the fleet, whence he had been dismissed on complaint of some unnatural practices, not fit to be named. He then became a convert to the catholics, but he afterwards boasted, that his

conversion was a mere pretence, in order to get into their secrets and to betray them (Burnet, Echard, North, L'Estrange, &c.). He was sent over to the Jesuits' college at St Omers, and though above thirty years of age, he there lived some time among the students. He was dispatched on an errand to Spain, and thence returned to St. Omers; where the Jesuits, heartily tired of their convert, at last dismissed him from their seminary. It is likely, that, from resentment of this usage, as well as from want and indigence, he was induced, in combination with Tongue, to contrive the plot, of which he accused the catholics

This abandoned man, when examined before the council, betrayed his impostures in such a manner as would have utterly discredited the most consistent story, and the most reputable evidence. While in Spain he had been carried, he said, to Don John, who promised great assistance to the execution of the catholic designs. The king asked him, what sort of a man Don John was. He answered, a tall, lean man; directly contrary to truth, as the king well knew (Burnet, North). He totally mistook the situation of the Jesuits' college at Paris (North). Though he pretended great intimacies with Coleman, he knew him not when placed very near him, and had no other excuse than that his sight was bad in candle-light (Burnet, North, Trials). He fell into like mistakes with regard to Wakeman.

Notwithstanding these objections, great attention was paid to Oates's evidence, and the plot became very soon the subject of conversation, and even the object of terror to the people. The violent animosity which had been excited against the catholics in general, made the public swallow the grossest absurdities when they accompanied an accusation of those religionists. and the more diabolical any contrivance appeared the better it suited the tremendous idea entertained of a Jesuit. Danby, likewise, who stood in opposition to the French and catholic interest at court, was willing to encourage every story, which might serve to discredit that party. By his suggestion, when a warrant was signed for arresting Coleman, there was inserted a clause for seizing his papers, a circumstance attended with the most important consequences.

Coleman, partly on his own account, partly by orders from the duke, had been engaged in a correspondence with Father La Chaise, with the pope's nuncio at Brussels, and with other catholics abroad; and being himself a fiery zealot, busy and sanguine, the expressions in his letters often betrayed great violence and indiscretion. His correspondence, during the years 1674, 1675, and part of 1676, was seized, and contained many extraordinary passages. In particular he said to La Chaise 'We have here a mighty work upon our hands, no less than the conversion of three kingdoms, and by that perhaps the utter subduing of a pestilent heresy, which has a long time domineered over a great part of this northern world. There were never such hopes of success, since the days of queen Mary, as now in our days. God has given us a prince,' meaning the duke, 'who is become (may I say a miracle) zealous of being the author and instrument of so glorious a work; but the opposition we are sure to meet with is also like to be great so that it imports us to get all the aid and assistance we can.' In another letter he said, 'I can scarce believe myself awake, or the

'thing real, when I think of a prince in such an age as we live in converted to such a degree of zeal and piety, as not to regard anything in the world in comparison of God's almighty glory, the salvation of his own soul, and the conversion of our poor kingdom' In other passages the interests of the crown of England, those of the French king, and those of the catholic religion are spoken of as inseparable. The duke is also said to have connected his interests unalterably with those of Lewis. The king himself, he affirms, is always inclined to favour the catholics, when he may do it without hazard. 'Money,' Coleman adds, 'cannot fail of persuading the king to anything. There is nothing it cannot make him do, were it ever so much to his prejudice. It has such an absolute power over him, that he cannot resist it. Logic, built upon money, has in our court more powerful charms than any other sort of argument.' For these reasons, he proposed to Father La Chaise that the French king should remit the sum of 300,000*l*, on condition that the parliament be dissolved, a measure, to which, he affirmed, the king was, of himself, sufficiently inclined, were it not for his hopes of obtaining money from that assembly. The parliament, he said, had already constrained the king to make peace with Holland, contrary to the interests of the catholic religion, and of his most Christian majesty; and if they should meet again, they would surely engage him farther, even to the making of war against France. It appears also from the same letters, that the assembling of the parliament so late as April in the year 1675 had been procured by the intrigues of the catholic and French party, who thereby intended to show the Dutch and their confederates, that they could expect no assistance from England.

When the contents of these letters were publicly known, they diffused the panic, with which the nation began already to be seized on account of the popish plot. Men reasoned more from their fears and their passions than from the evidence before them. It is certain, that the restless and enterprising spirit of the catholic church, particularly of the Jesuits, merits attention, and is, in some degree, dangerous to every other communion. Such zeal of proselytism actuates that sect, that its missionaries have penetrated into every nation of the globe, and, in one sense, there is a 'popish plot' perpetually carrying on against all states, protestant, pagan, and Mahometan. It is likewise very probable, that the conversion of the duke, and the favour of the king had inspired the catholic priests with new hopes of recovering in these islands their lost dominion, and gave fresh vigour to that intemperate zeal, by which they are commonly actuated. Their first aim was to obtain a toleration, and such was the evidence, they believed, of their theological tenets, that, could they but procure entire liberty, they must infallibly in time open the eyes of the people. After they had converted considerable numbers, they might be enabled, they hoped, to reinstate themselves in full authority, and entirely to suppress that heresy, with which the kingdom had so long been affected. Though these dangers to the protestant religion were distant, it was justly the object of great concern to find, that the heir of the crown was so blinded with bigotry, and so deeply engaged in foreign interests; and that the king himself had been prevailed on, from low interests, to hearken to his dangerous insinuations. Very bad conse-

quences might ensue from such perverse habits and attachments; nor could the nation and parliament guard against them with too anxious a precaution. But that the Roman pontiff could hope to assume the sovereignty of these kingdoms, a project, which even during the darkness of the eleventh and twelfth centuries, would have appeared chimerical that he should delegate this authority to the Jesuits; that order in the Romish church, which was the most hated. that a massacre could be attempted of the protestants, who surpassed the catholics a hundredfold, and were invested with the whole authority of the state: that the king himself was to be assassinated, and even the duke, the only support of their party. these were such absurdities as no human testimony was sufficient to prove; much less the evidence of one man, who was noted for infamy, and who could not keep himself from falling every moment into the grossest inconsistencies. Did such intelligence deserve even so much attention as to be refuted, it would appear, that Coleman's letters were sufficient alone to destroy all its credit. For how could so long a train of correspondence be carried on, by a man so much trusted by the party, and yet no traces of insurrections, if really intended, of fires, massacres, assassinations, invasions, be ever discovered in any single passage of these letters? But all such reflections, and many more, equally obvious, were vainly employed against that general prepossession, with which the nation was seized. Oates's plot and Coleman's were universally confounded together and the evidence of the latter being unquestionable, the belief of the former, aided by the passions of hatred and of terror, took possession of the whole people.

There was danger, however, lest time might open the eyes of the public, when the murder of Godfrey completed the general delusion, and rendered the prejudices of the nation absolutely incurable. This magistrate had been missing some days; and after much search, and many surmises, his body was found lying in a ditch at Primrose-hill: the marks of strangling were thought to appear about his neck, and some contusions on his breast. his own sword was sticking in the body; but as no considerable quantity of blood ensued on drawing it; it was concluded, that it had been thrust in after his death, and that he had not killed himself. he had rings on his fingers, and money in his pocket. it was, therefore, inferred, that he had not fallen into the hands of robbers. Without farther reasoning, the cry rose, that he had been assassinated by the papists, on account of his taking Oates's evidence. This clamour was quickly propagated, and met with universal belief. The panic spread itself on every side with infinite rapidity; and all men, astonished with fear, and animated with rage, saw in Godfrey's fate all the horrible designs ascribed to the catholics, and no farther doubt remained of Oates's veracity. The voice of the nation united against that hated sect; and notwithstanding that the bloody conspiracy was supposed to be now detected, men could scarcely be persuaded, that their lives were yet in safety. Each hour teemed with new rumours and surmises. Invasions from abroad, insurrections at home, even private murders and poisonings were apprehended. To deny the reality of the plot was to be an accomplice. to hesitate was criminal. Royalist, Republican; Church-

man, Sectary; Courtier, Patriot; all parties concurred in the illusion. The city prepared for its defence, as if the enemy were at its gates the chains and post were put up and it was a noted saying at that time of Sir Thomas Player, the chamberlain, that, were it not for these precautions, all the citizens might rise next morning with their throats cut (North, p. 206)

In order to propagate the popular frenzy, several artifices were employed. The dead body of Godfrey was carried into the city, attended by vast multitudes. It was publicly exposed in the streets, and viewed by all ranks of men; and every one, who saw it, went away inflamed, as well by the mutual contagion of sentiments, as by the dismal spectacle itself. The funeral pomp was celebrated with great parade. The corpse was conducted through the chief streets of the city seventy-two clergymen marched before above a thousand persons of distinction followed after and at the funeral sermon, two able-bodied divines mounted the pulpit, and stood on each side of the preacher, lest, in paying the last duties to this unhappy magistrate, he should, before the people, be murdered by the papists (North, p. 205).

In this disposition of the nation, reason could no more be heard than a whisper in the midst of the most violent hurricane. Even at present, Godfrey's murder can scarcely, upon any system, be rationally accounted for. That he was assassinated by the Catholics, seems utterly improbable. These religionists could not be engaged to commit that crime from 'policy,' in order to deter other magistrates from acting against them. Godfrey's fate was nowise capable of producing that effect, unless it were publicly known, that the Catholics were his murderers; an opinion, which, it was easy to foresee, must prove the ruin of their party. Besides, how many magistrates, during more than a century, had acted in the most violent manner against the Catholics, without its being ever suspected, that any one had been cut off by assassination? Such jealous times as the present were surely ill fitted for beginning these dangerous experiments. Shall we therefore say, that the Catholics were pushed on, not by policy, but by blind 'revenge' against Godfrey? But Godfrey had given them little or no occasion of offence in taking Oates's evidence. His part was merely an act of form, belonging to his office, nor could he, or any man in his station, possibly refuse it. In the rest of his conduct, he lived on good terms with the Catholics, and was far from distinguishing himself by his severity against that sect. It is even certain, that he had contracted an intimacy with Coleman, and took care to inform his friend of the danger, to which, by reason of Oates's evidence, he was at present exposed.

There are some writers, who, finding it impossible to account for Godfrey's murder by the machinations of the Catholics, have recourse to the opposite supposition. They lay hold of that obvious presumption, that those commit the crime who reap advantage by it, and they affirm that it was Shaftesbury and the heads of the popular party, who perpetrated that deed, in order to throw the odium of it on the Papists. If this supposition be received, it must also be admitted, that the whole plot was the contrivance of those politicians, and that Oates acted altogether under their direction. But it appears, that Oates, dread-

ing probably the opposition of powerful enemies, had very anxiously acquitted the duke, Danby, Ormond, and all the ministry; persons who were certainly the most obnoxious to the popular leaders. Besides, the whole texture of the plot contains such low absurdity, that it is impossible to have been the invention of any man of sense or education. It is true, the more monstrous and horrible the conspiracy, the better was it fitted to terrify, and thence to convince, the populace. but this effect, we may safely say, no one could before-hand have expected, and a fool was in this case more likely to succeed than a wise man. Had Shaftesbury laid the plan of a popish conspiracy, he had probably rendered it moderate, consistent, credible; and on that very account had never met with the prodigious success, with which Oates's tremendous fictions were attended.

We must, therefore, be contented to remain for ever ignorant of the actors in Godfrey's murder¹ and only pronounce in general, that that event, in all likelihood, had no connection, one way or another, with the popish plot. Any man, especially so active a magistrate as Godfrey, might, in such a city as London, have many enemies, of whom his friends and family had no suspicion. He was a melancholy man, and there is some reason, notwithstanding the pretended appearances to the contrary, to suspect that he fell by his own hands. The affair was never examined with tranquillity, or even with common sense during the time, and it is impossible for us, at this distance, certainly to account for it.

No one doubted but the papists had assassinated Godfrey, but still the particular actors were unknown. A proclamation was issued by the king, offering a pardon and a reward of 500*l*. to anyone who should discover them. As it was afterwards surmised that the terror of a like assassination would prevent discovery, a new proclamation was issued, promising absolute protection to anyone who should reveal the secret. Thus were indemnity, money, and security offered to the fairest bidder. and no one needed to fear, during the present fury of the people, that his evidence would undergo too severe a scrutiny.

While the nation was in this ferment, the parliament was (Oct 21) assembled. In his speech the king told them, that, though they had given money for disbanding the army,¹ he had found Flanders so exposed, that he had thought it necessary still to keep them on foot, and doubted not but this measure would meet with their approbation. He informed them, that his revenue lay under great anticipation, and at best was never equal to the constant and necessary expense of government, as it would appear from the state of it, which he intended to lay before them. He also mentioned the plot, formed against his life by the Jesuits, but said that he would forbear delivering any opinion upon the matter, lest he should seem to say too much or too little; and that he would leave the scrutiny of it entirely to the law.

The king was anxious to keep the question of the popish plot from the parliament, where, he suspected, many designing people would very much abuse the present credulity of the nation. but

¹ They had granted him 600,000*l*. for disbanding the army, for reimbursing the charges of his naval armament, and for paying the Princess of Orange's portion.

Danby, who hated the Catholics, and counted popularity, and perhaps hoped, that the king, if his life were believed in danger from the Jesuits, would be more cordially loved by the nation, had entertained opposite designs, and the very first day of the session he opened the matter in the house of peers. The king was extremely displeased with this temerity, and told his minister, 'Though you do not believe it, you will find, that you have given the parliament a handle to ruin yourself, as well as to disturb all my affairs; and you will surely live to repent it.' Danby had afterwards sufficient reason to applaud the sagacity of his master.

The cry of the plot was immediately echoed from one house to the other. The authority of parliament gave sanction to that fury, with which the people were already agitated. An address was voted for a solemn fast: a form of prayer was contrived for that solemnity, and because the popish plot had been omitted in the first draught, it was carefully ordered to be inserted, lest omniscience should want intelligence, to use the words of an historian (North, p. 207).

In order to continue and propagate the alarm, addresses were voted for laying before the house such papers as might discover the horrible conspiracy; for the removal of popish recusants from London, for administering everywhere the oaths of allegiance and supremacy, for denying access at court to all unknown or suspicious persons, and for appointing the trainbands of London and Westminster to be held in readiness. The Lords Powis, Stafford, Arundell, Peters, and Belasis, were committed to the Tower and were soon after impeached for high treason. And both houses, after hearing Oates's evidence, voted, 'That the lords and commons are of opinion, that there had been, and still is, a damnable and hellish plot, contrived and carried on by the popish recusants, for assassinating the king, for subverting the government, and for rooting out and destroying the Protestant religion.'

So vehement were the houses, that they sat every day, forenoon and afternoon, on the subject of the plot: for no other business could be attended to. A committee of lords were appointed to examine prisoners and witnesses: blank warrants were put into their hands, for the commitment of such as should be accused or suspected. Oates, who, though his evidence were true, must, by his own account, be regarded as an infamous villain, was by everyone applauded, caressed, and called the saviour of the nation. He was recommended by the parliament to the king. He was lodged in Whitehall, protected by guards, and encouraged by a pension of twelve hundred pounds a year.

It was not long before such bountiful encouragement brought forth new witnesses. William Bedloe, a man, if possible, more infamous than even Titus Oates, appeared next on the stage. He was of very low birth, had been noted for several cheats and even thefts, had travelled over many parts of Europe under borrowed names, and frequently passed himself for a man of quality, and had endeavoured, by a variety of lies and contrivances, to prey upon the ignorant and unwary. When he appeared before the council, he gave intelligence of Godfrey's murder only, which, he said, had been per-

642 *Bedloe's Plot. The Torrent of National Prejudices.*

petrated in Somerset-house, where the queen lived, by papists, some of them servants in her family. He was questioned about the plot, but utterly denied all knowledge of it, and also asserted, that he had no acquaintance with Oates. Next day, when examined before the committee of lords, he bethought himself better, and was ready to give an ample account of the plot, which he found so anxiously enquired into. This narrative he made to tally, as well as he could, with that of Oates, which had been published; but, that he might make himself acceptable by new matter, he added some other circumstances, and these still more tremendous and extraordinary. He said that 10,000 men were to be landed from Flanders in Burlington Bay, and immediately to seize Hull, that Jersey and Guernsey were to be surprized by forces from Brest, and that a French fleet was, all last summer, hovering in the Channel for that purpose; that the Lords Powis and Peters were to form an army in Radnorshire, to be joined by another army, consisting of 20 or 30,000 religious men and pilgrims, who were to land at Milford Haven from St. Iago, in Spain; that there were 40,000 men ready in London, besides those, who would, on the alarm, be posted at every alehouse door, in order to kill the soldiers, as they came out of their quarters; that Lord Stafford, Coleman, and Father Ireland had money sufficient to defray the expenses of all these armaments; that he himself was to receive 4,000*l*. as one that could murder a man, as also a commission from Lord Bellasis, and a benediction from the pope; that the king was to be assassinated, all the protestants massacred, who would not seriously be converted; the government offered to ONE, if he would consent to hold it of the Church, but if he should refuse that condition, as was suspected, the supreme authority would be given to certain lords under the nomination of the pope. In a subsequent examination before the commons, Bedloe added (for these men always brought out their intelligence successively and by piecemeal) that Lord Carrington was also in the conspiracy for raising men and money against the government; as was likewise Lord Brudenell. These noblemen, with all the other persons mentioned by Bedloe, were immediately committed to custody by the parliament.

It is remarkable, that the only resource of Spain, in her present decayed condition, lay in the assistance of England; and, so far from being in a situation to transport 10,000 men for the invasion of that kingdom, she had solicited and obtained English forces to be sent into the garrisons of Flanders, which were not otherwise able to defend themselves against the French. The French, too, we may observe, were at that very time in open war with Spain, and yet are supposed to be engaged in the same design against England, as if religious motives were become the sole actuating principle among sovereigns. But none of these circumstances, however obvious, were able, when set in opposition to multiplied horrors, antipathies, and prejudices, to engage the least attention of the populace. For such the whole nation were at this time become. The popish plot passed for incontestible, and had not men soon expected with certainty the legal punishment of these criminals, the catholics had been exposed to the hazard of an universal massacre. The torrent indeed of national prejudices ran so

high, that no one, without the most imminent danger, durst venture openly to oppose it ; nay, scarcely any one, without great force of judgment, could even secretly entertain an opinion contrary to the prevailing sentiments. The loud and unanimous voice of a great nation has mighty authority over weak minds, and even later historians are so swayed by the concurring judgment of such multitudes, that some of them have 'esteemed themselves sufficiently moderate, when they affirmed, that many circumstances of the plot were true, though some were added, and others much magnified. But it is an obvious principle, that a witness, who perjures himself in one circumstance, is credible in none and the authority of the plot, even to the end of the prosecutions, stood entirely upon witnesses. Though the catholics had been suddenly and unexpectedly detected, at the very moment when their conspiracy, it is said, was ripe for execution, no arms, no ammunition, no money, no commissions, no papers, no letters, after the most rigorous search, ever were discovered, to confirm the evidence of Oates and Bedloe. Yet still the nation, though often frustrated, went on in the eager pursuit and confident belief of the conspiracy, and even the manifold inconsistencies and absurdities, contained in the narratives, instead of discouraging them, served only as farther incentives to discover the bottom of the plot, and were considered as slight objections, which a more complete information would fully remove. In all history, it will be difficult to find such another instance of popular frenzy and bigoted delusion.

In order to support the panic among the people, especially among the citizens of London, a pamphlet was published with this title, 'A narrative and impartial discovery of the horrid popish plot, carried on for burning and destroying the cities of London and Westminster with their suburbs, setting forth the several consults, orders, and resolutions of the Jesuits, concerning the same by Captain William Bedloe, lately engaged in that horrid design, and one of the popish committee for carrying on such fires.' Every fire, which had happened for several years past, is there ascribed to the machinations of the Jesuits, who purposed, as Bedloe said, by such attempts, to find an opportunity for the general massacre of the protestants ; and in the meantime, were well pleased to enrich themselves by pilfering goods from the fire.

The king, though he scrupled not, wherever he could speak freely, to throw the highest ridicule on the plot, and on all who believed it ; yet found it necessary to adopt the popular opinion before the parliament. The torrent, he saw, ran too strong to be controuled, and he could only hope, by a seeming compliance, to be able, after some time, to guide and direct and elude its fury. He made therefore a speech to both houses ; in which he told them, that he would take the utmost care of his person during these times of danger, that he was as ready as their hearts could wish, to join with them in all means for establishing the protestant religion, not only during his own time, but for all future ages ; and that, provided the right of succession were preserved, he would consent to any laws for restraining a popish successor and in conclusion, he exhorted them to think of effectual means for the conviction of popish recusants, and he highly praised the duty and

loyalty of all his subjects, who had discovered such anxious concern for his safety.

These gracious expressions abated nothing of the vehemence of parliamentary proceedings. A bill was introduced for a new test, in which popery was denominated idolatry; and all members, who refused this test, were excluded from both houses. The bill passed the commons without much opposition, but in the upper house the duke moved, that an exception might be admitted in his favour. With great earnestness, and even with tears in his eyes, he told them, that he was now to cast himself on their kindness, in the greatest concern which he could have in the world; and he protested, that whatever his religion might be, it should only be a private 'thing' between God and his own soul, and never should appear in his public conduct. Notwithstanding this strong effort, in so important a point, he prevailed only by two voices, a sufficient indication of the general disposition of the people. 'I would not have,' said a noble peer, in the debate on this bill, 'so much as a popish man or a popish woman to remain here, not so much as a popish dog or a popish bitch; not so much as a popish cat to pur or mew about the king.' What is more extraordinary, this speech met with praise and approbation.

Encouraged by this general fury, the witnesses went still a step further in their accusations, and though both Oates and Bedloe had often declared, that there was no other person of distinction, whom they knew to be concerned in the plot, they were now so audacious as to accuse the queen herself of entering into the design against the life of her husband. The commons, in an address to the king, gave countenance to this scandalous accusation; but the lords would not be prevailed with to join in the address. It is here, if anywhere, that we may suspect the suggestions of the popular leaders to have had place. The king, it was well known, bore no great affection to his consort; and now, more than ever, when his brother and heir was so much hated, had reason to be desirous of issue, which might quiet the jealous fears of his people. This very hatred, which prevailed against the duke, would much facilitate, he knew, any expedient that could be devised for the exclusion of that prince, and nothing farther seemed requisite for the king, than to give way in this particular to the rage and fury of the nation. But Charles, notwithstanding all allurements of pleasure, or interest, or safety, had the generosity to protect his injured consort. 'They think,' said he, 'I have a mind to a new wife; but for all that, I will not see an innocent woman abused' (North's Examen, p. 186). He immediately ordered Oates to be strictly confined, seized his papers, and dismissed his servants, and this daring informer was obliged to make applications to parliament, in order to recover his liberty.

During this agitation of men's minds, the parliament gave new attention to the militia, a circumstance, which, even during times of greatest tranquillity, can never prudently be neglected. They passed a bill, by which it was enacted, that a regular militia should be kept in arms, during six weeks of the year, and a third part of them do duty every fortnight of that time. The popular leaders probably intended to make use of the general prejudices, and even to turn the arms of

the people against the prince (Burnet, vol. 1. p. 437). But Charles refused his assent to the bill, and told the parliament, that he would not, were it for half an hour, part so far with the power of the sword but if they would contrive any other bill for ordering the militia, and still leave it in his power to assemble or dismiss them as he thought proper, he would willingly give it the royal assent. The commons dissatisfied with this negative, though the king had never before employed that prerogative, immediately voted that all the new-levied forces should be disbanded. They passed a bill, granting money for that purpose, but to show their extreme jealousy of the crown, besides appropriating the money by the strictest clauses, they ordered it to be paid not into the exchequer, but into the chamber of London. The lords demurred with regard to so extraordinary a clause, which threw a violent reflection on the king's ministers, and even on himself, and by that means the act remained in suspense.

It was no wonder, that the present ferment and credulity of the nation engaged men of infamous character and indigent circumstances to become informers, when persons of rank and condition could be tempted to give in to that scandalous practice. Montague, the king's ambassador at Paris, had procured a seat in the lower house, and without obtaining or asking the king's leave, he suddenly came over to England. Charles, suspecting his intention, ordered his papers to be seized, but Montague, who foresaw this measure, had taken care to secrete one paper, which he immediately laid before the house of commons. It was a letter from the treasurer Danby written in the beginning of the year, during the negotiations at Nimeguen for the general peace. Montague was there directed to make a demand of money from France, or in other words, the king was willing secretly to sell his good offices to Lewis, contrary to the general interests of the confederates, and even to those of his own kingdoms. The letter, among other particulars, contains these words 'in case the conditions of peace shall be accepted, the king expects to have six millions of livres a year for three years, from the time that this agreement shall be signed between his majesty and the king of France, because it will probably be two or three years before the parliament will be in humour to give him any supplies after the making of any peace with France, and the ambassador here has always agreed to that sum, but not for so long a time.' Danby was so unwilling to engage in this negotiation, that the king, to satisfy him, subjoined with his own hand these words. 'This letter is writ by my order, C. R.' Montague, who revealed this secret correspondence, had even the baseness to sell his base treachery at a high price to the French monarch (Dalrymple's Appendix).

The commons were inflamed with this intelligence against Danby; and carrying their suspicions farther than the truth, they concluded, that the king had all along acted in concert with the French court; and that every step, which he had taken in conjunction with the allies, had been illusory and deceitful. Desirous of getting to the bottom of so important a secret, and being pushed by Danby's numerous enemies, they immediately voted an impeachment of high treason against that minister, and sent up six articles to the house of peers. These articles

were, that he had traiterously engrossed to himself regal power, by giving instructions to his majesty's ambassadors, without the participation of the secretaries of state, or the privy-council that he had traiterously endeavoured to subvert the government, and introduce arbitrary power, and to that end, had levied and continued an army, contrary to act of parliament: that he had traiterously endeavoured to alienate the affections of his majesty's subjects, by negotiating a disadvantageous peace with France, and procuring money for that purpose that he was popishly affected, and had traiterously concealed, after he had notice, the late horrid and bloody plot, contrived by the papists against his majesty's person, and government that he had wasted the king's treasure, and that he had, by indirect means, obtained several exorbitant grants from the crown

It is certain, that the treasurer, in giving instructions to an ambassador, had exceeded the bounds of his office; and as the genius of a monarchy, strictly limited, requires, that the proper minister should be answerable for every abuse of power, the commons, though they here advanced a new pretension, might justify themselves by the utility, and even necessity of it. But in other respects their charge against Danby was very ill grounded. That minister made it appear to the house of lords, not only that Montague, the informer against him, had all along promoted the money-negotiations with France, but that he himself was ever extremely averse to the interests of that crown, which he esteemed pernicious to his master, and to his country. The French nation, he said, had always entertained, as he was certainly informed, the highest contempt, both of the king's person and government. His diligence, he added, in tracing and discovering the popish plot, was generally known; and if he had common sense, not to say common honesty, he would surely be anxious to preserve the life of a master, by whom he was so much favoured. He had wasted no treasure, because there was no treasure to waste. And though he had reason to be grateful for the king's bounty, he had made more moderate acquisitions than were generally imagined, and than others in his office had often done, even during a shorter administration.

The house of peers plainly saw, that, allowing all the charge of the commons to be true, Danby's crime fell not under the statute of Edward III., and though the words, 'treason' and 'traiterously,' had been carefully inserted in several articles, this appellation could not change the nature of things, or subject him to the penalties annexed to that crime. They refused, therefore, to commit Danby upon this irregular charge. The commons insisted on their demand, and a great contest was likely to arise, when the king, who had already seen sufficient instances of the ill-humour of the parliament, thought proper to prorogue them. This prorogation was soon after followed (Dec. 30) by a dissolution; a desperate remedy in the present disposition of the nation. But the disease, it must be owned, the king had reason to esteem desperate. The utmost rage had been discovered by the commons, on account of the popish plot, and their fury began already to point against the royal family, if not against the throne itself. The duke had been struck at in several motions the treasurer had been impeached. all supply had been refused, except on the most disagree-

able conditions. fears, jealousies, and antipathies were every day multiplying in parliament: and though the people were strongly infected with the same prejudices, the king hoped, that, by dissolving the present cabals, a set of men might be chosen more moderate in their pursuits, and less tainted with the virulence of faction.

Thus came to a period a parliament, which had sat during the whole course of this reign, one year excepted. Its conclusion was very different from its commencement. Being elected during the joy and festivity of the restoration, it consisted almost entirely of royalists; who were disposed to support the crown by all the liberality which the habits of that age would permit. Alarmed by the alliance with France, they gradually withdrew their confidence from the king, and finding him still to persevere in a foreign interest, they proceeded to discover symptoms of the most refractory and most jealous disposition. The popish plot pushed them beyond all bounds of moderation, and before their dissolution, they seemed to be treading fast in the footsteps of the last long parliament, on whose conduct they threw at first such violent blame. In all their variations, they had still followed the opinions and prejudices of the nation, and ever seemed to be more governed by humour and party-views than by public interest, and more by public interest than by any corrupt or private influence.

During the sitting of the parliament, and after its prorogation and dissolution, the trials of the pretended criminals were carried on, and the courts of judicature, places, which, if possible, ought to be kept more pure from injustice than even national assemblies themselves, were strongly infected with the same party-rage and bigoted prejudices. Coleman, the most obnoxious of the conspirators, was first brought to his trial. His letters were produced against him. They contained, as he himself confessed, much indiscretion: but unless so far as it is illegal to be a zealous catholic, they seemed to prove nothing criminal, much less treasonable against him. Oates and Bedloe deposed, that he had received a commission, signed by the superior of the jesuits, to be papal secretary of state, and had consented to the poisoning, shooting, and stabbing of the king: he had even, according to Oates's deposition, advanced a guinea to promote those bloody purposes. These wild stories were confounded with the projects contained in his letters, and Coleman received sentence of death. The sentence was soon after executed upon him. He suffered (Dec 3) with calmness and constancy, and to the last persisted in the strongest protestations of his innocence.

Coleman's execution was succeeded by the trial of Father Ireland, who, it is pretended, had signed, together with fifty jesuits, the great resolution of murdering the king. Grove and Pickering, who had undertaken to shoot him, were tried at the same time. The only witnesses against the prisoners were still Oates and Bedloe. Ireland affirmed, that he was in Staffordshire all the month of August last, a time when Oates's evidence made him in London. He proved his assertion by good evidence, and would have proved it by undoubted, had he not, most iniquitously, been debarred, while in prison, from all use of pen, ink, and paper, and denied the liberty of sending for witnesses. All these men, before their arraignment, were condemned in the opinion

of the judges, jury, and spectators; and to be a jesuit, or even a catholic, was of itself a sufficient proof of guilt. The chief justice (Sir Will Scroggs), in particular, gave sanction to all the narrow prejudices and bigoted fury of the populace. Instead of being counsel for the prisoners, as his office required, he pleaded the cause against them, brow-beat their witnesses, and on every occasion represented their guilt as certain and uncontroverted. He even went so far as publicly to affirm, that the papists had not the same principles which protestants have, and therefore were not entitled to that common 'credence' which the principles and practices of the latter call for. And when the jury brought in their verdict against the prisoners, he said, 'You have done, gentlemen, like very good subjects, and very good Christians, that is to say, like very good protestants' and now 'much good may their 30,000 masses do them.' Alluding to the masses by which Pickering was to be rewarded for murdering the king. All these unhappy men went to execution (Jan 14, 1679), protesting their innocence, a circumstance, which made no impression on the spectators. The opinion, that the jesuits allowed of lies and mental reservations for promoting a good cause, was at this time so universally received, that no credit was given to testimony delivered either by that order, or by any of their disciples. It was forgotten, that all the conspirators engaged in the gunpowder treason, and Gaiet, the jesuit, among the rest, had freely on the scaffold made confession of their guilt.

Though Bedloe had given information of Godfrey's murder, he still remained a single evidence against the persons accused, and all the allurements of profit and honour had not hitherto tempted anyone to confirm the testimony of that informer. At last, means were found to complete the legal evidence. One Piance, a silversmith, and a catholic, had been accused by Bedloe of being an accomplice in the murder, and upon his denial had been thrown into prison, loaded with heavy irons, and confined to the condemned hole, a place cold, dark, and full of nastiness. Such rigours were supposed to be exercised by orders from the secret committee of lords, particularly Shaftesbury and Buckingham: who, in examining the prisoners, usually employed (as is said, and indeed sufficiently proved) threatenings and promises, rigour and indulgence, and every art, under pretence of extorting the truth from them. Prance had not courage to resist, but confessed himself an accomplice in Godfrey's murder. Being asked concerning the plot, he also thought proper to be acquainted with it, and conveyed some intelligence to the council. Among other absurd circumstances, he said that one Le Fevre bought a second-hand sword of him, because he knew not, as he said, what times were at hand. And Prance expressing some concern for poor tradesmen, if such times came, Le Fevre replied, that it would be better for tradesmen, if the catholic religion were restored and particularly, that there would be more church work for silversmiths. All this information with regard to the plot as well as the murder of Godfrey, Prance solemnly retracted, both before the king and the secret committee. But being again thrown into prison, he was induced by new terrors and new sufferings, to confirm his first information, and was now produced as a sufficient evidence.

Hill, Green, and Berry were tried for Godfrey's murder, all of them men of low stations. Hill was servant to a physician, the other two belonged to the popish chapel at Somerset House. It is needless to run over all the particulars of a long trial: it will be sufficient to say, that Bedloe's evidence and Piance's were in many circumstances totally irreconcilable; that both of them laboured under unsurmountable difficulties, not to say gross absurdities, and that they were invalidated by contrary evidence, which is altogether convincing. But all was in vain: the prisoners were condemned and executed. They all denied their guilt at their execution (Feb. 21 and 28), and as Berry died a protestant, this circumstance was regarded as very considerable: but, instead of its giving some check to the general credulity of the people, men were only surprised, that a protestant could be induced at his death to persist in so manifest a falsehood.

As the army could neither be kept up, nor disbanded without money, the king, how little hopes soever he could entertain of more compliance, found himself obliged to summon a new parliament. The blood, already shed on account of the popish plot, instead of satiating the people, served only as an incentive to their fury, and each conviction of a criminal was hitherto regarded as a new proof of those horrible designs imputed to the papists. This election is perhaps the first in England, which, since the commencement of the monarchy, had been caused on by a violent contest between the parties, and where the court interested itself, to a high degree, in the choice of the national representatives. But all its efforts were fruitless, in opposition to the torrent of prejudices which prevailed. Religion, liberty, property, even the lives of men were now supposed to be at stake; and no security, it was thought, except in a vigilant parliament, could be found against the impious and bloody conspirators. Were there any part of the nation, to which the ferment, occasioned by the popish plot, had not as yet propagated itself; the new elections, by interesting the whole people in public concerns, tended to diffuse it into the remotest corner; and the consternation, universally excited, proved an excellent engine for influencing the electors. All the zealots of the former parliament were rechosen: new ones were added: the presbyterians, in particular, being transported with the most inveterate antipathy against popery, were very active and very successful in the elections. That party, it is said, first began at this time the abuse of splitting their freeholds, in order to multiply votes and electors. By accounts, which came from every part of England, it was concluded, that the new representatives would, if possible, exceed the old in their refractory opposition to the court, and their furious persecution of the catholics.

The king was alarmed, when he saw so dreadful a tempest arise from such small and unaccountable beginnings. His life, if Oates and Bedloe's information were true, had been aimed at by the catholics: even the duke's was in danger: the higher, therefore, the rage mounted against popery, the more should the nation have been reconciled to these princes, in whom, it appeared, the church of Rome reposed no confidence. But there is a sophistry, which attends all the passions; especially those into which the populace enter. Men gave credit to

the informers, so far as concerned the guilt of the catholics but they still retained their old suspicions, that these religionists were secretly favoured by the king, and had obtained the most entire ascendant over his brother. Charles had too much penetration not to see the danger, to which the succession, and even his own crown and dignity, now stood exposed. A numerous party, he found, was formed against him ; on the one hand, composed of a populace, so credulous from prejudice, so blinded with religious antipathy, as implicitly to believe the most palpable absurdities ; and conducted, on the other hand, by leaders so little scrupulous, as to endeavour, by encouraging perjury, subornation, lies, impostures, and even by shedding innocent blood, to gratify their own furious ambition, and subvert all legal authority. Roused from his lethargy by so imminent a peril, he began to exert that vigour of mind, of which, on great occasions, he was not destitute, and without quitting in appearance his usual facility of temper, he collected an industry, firmness, and vigilance, of which he was believed altogether incapable. These qualities, joined to dexterity and prudence, conducted him happily through the many shoals which surrounded him, and he was at last able to make the storm fall on the heads of those who had blindly raised, or artfully conducted it.

One chief step, which the king took, towards gratifying and appeasing his people and parliament, was, desiring the duke to withdraw beyond sea, that no farther suspicion might remain of the influence of popish counsels. The duke readily complied, but first required an order for that purpose, signed by the king, lest his absenting himself should be interpreted as a proof of fear or of guilt. He also desired, that his brother should satisfy him, as well as the public, by a declaration of the illegitimacy of the Duke of Monmouth.

James Duke of Monmouth was the king's natural son by Lucy Walters, and born about ten years before the restoration. He possessed all the qualities which could engage the affections of the populace, a distinguished valour, an affable address, a thoughtless generosity, a graceful person. He rose still higher in the public favour, by reason of the universal hatred to which the duke, on account of his religion, was exposed. Monmouth's capacity was mean, his temper pliant, so that, notwithstanding his great popularity, he had never been dangerous, had he not implicitly resigned himself to the guidance of Shaftesbury, a man of such a restless temper, such subtle wit, and such abandoned principles. That daring politician had flattered Monmouth with the hopes of succeeding to the crown. The story of a contract of marriage, passed between the king and Monmouth's mother, and secretly kept in a certain 'black box,' had been industriously spread abroad, and was greedily received by the multitude. As the horrors of popery still pressed harder on them, they might be induced, either to adopt that fiction, as they had already done many others more incredible, or to commit open violation on the right of succession. And it would not be difficult, it was hoped, to persuade the king, who was extremely fond of his son, to give him the preference above a brother, who, by his imprudent bigotry, had involved him in such inextricable difficulties. But Charles, in order to cut off all such expectations, as well as to remove the duke's appre-

hensions, took care, in full council, to make a declaration of Monmouth's illegitimacy, and to deny all promise of marriage with his mother. The duke, being gratified in so reasonable a request, willingly complied with the king's desire, and retired to Brussels.

But the king soon found, that, notwithstanding this precaution, notwithstanding his concurrence in the prosecution of the popish plot, notwithstanding the zeal which he expressed, and even at this time exercised against the catholics; he had nowise obtained the confidence of his parliament. The refractory humour of the lower house appeared (March 6, 1679) in the first step which they took upon their assembling. It had ever been usual for the commons, in the election of their speaker, to consult the inclinations of their sovereign, and even the long parliament in 1641 had not thought proper to depart from so established a custom. The king now desired, that the choice should fall on Sir Thomas Meres but Seymour, speaker to the last parliament, was instantly called to the chair, by a vote which seemed unanimous. The king, when Seymour was presented to him for his approbation, rejected him, and ordered the commons to proceed to a new choice. A great flame was excited. The commons maintained, that the king's approbation was merely a matter of form, and that he could not, without giving a reason, reject the speaker chosen. The king, that, since he had the power of rejecting, he might, if he pleased, keep the reason in his own breast. As the question had never before been started, it might seem difficult to find principles, upon which it could be decided.¹ By way of compromise, it was agreed to set aside both candidates. Gregory, a lawyer, was chosen, and the election was ratified by the king. It has ever since been understood, that the choice of the speaker lies in the house, but that the king retains the power of rejecting any person disagreeable to him.

Seymour was deemed a great enemy to Danby; and it was the influence of that nobleman, as commonly supposed, which had engaged the king to enter into this ill-timed controversy with the commons. The impeachment, therefore, of Danby was, on that account, the sooner revived; and it was maintained by the commons, that, notwithstanding the intervening dissolution, every part of that proceeding stood in the same condition in which it had been left by the last parliament. A pretention, which, though unusual, seems tacitly to have been yielded them. The king had beforehand had the precaution to grant a pardon to Danby; and, in order to screen the chancellor from all attacks by the commons, he had taken the great seal into his own hands, and had himself affixed it to the parchment. He told the parliament, that, as Danby had acted in everything by his orders, he was in no respect criminal; that his pardon, however, he would insist upon, and if it should be found any wise defective in form, he would renew it again and again, till it should be rendered entirely complete. But that he was resolved to deprive him of all employments, and to remove him from the court.

¹ In 1566, the speaker said to Q. Elizabeth, that without her allowance the election of the house was of no significance (D'Ewes's Journal, p. 97). In the parliament 1592, 1593, the speaker, who was Sir Edward Coke, advances a like position (D'Ewes, p. 459, Townshend, p. 35). So that this pretension of the commons seems to have been somewhat new, like many other powers and privileges.

The commons were no wise satisfied with this concession. They pretended, that no pardon of the crown could be pleaded in bar of an impeachment by the commons. The prerogative of mercy had hitherto been understood to be altogether unlimited in the king; and this pretention of the commons, it must be confessed, was entirely new. It was however not unsuitable to the genius of a monarchy strictly limited; where the king's ministers are supposed to be for ever accountable to national assemblies, even for such abuses of power as they may commit by orders from their master. The present emergence, while the nation was so highly inflamed, was the proper time for pushing such popular claims, and the commons failed not to avail themselves of this advantage. They still insisted on the impeachment of Danby. The peers, in compliance with them, departed from their former scruples, and ordered Danby to be taken into custody. Danby absconded. The commons passed a bill, appointing him to surrender himself before a certain day, or, in default of it, attainting him. A bill had passed the upper house, mitigating the penalty to banishment, but after some conferences, the peers thought proper to yield to the violence of the commons, and the bill of attainder was carried. Rather than undergo such severe penalties, Danby appeared, and was immediately committed to the Tower.

While a protestant nobleman met with such violent prosecution, it was not likely that the catholics would be overlooked by the zealous commons. The credit of the popish plot still stood upon the oaths of a few infamous witnesses. Though such immense preparations were supposed to have been made in the very bowels of the kingdom, no traces of them, after the most rigorous inquiry, had as yet appeared. Though so many thousands, both abroad and at home, had been engaged in the dreadful secret, neither hope, nor fear, nor remorse, nor levity, nor suspicions, nor private resentment, had engaged any one to confirm the evidence. Though the catholics, particularly the Jesuits, were represented as guilty of the utmost indiscretion, inasmuch that they talked of the king's murder as common news, and wrote of it in plain terms by the common post; yet, among the great number of letters seized, no one contained any part of so complicated a conspiracy. Though the informers pretended, that, even after they had resolved to betray the secret, many treasonable commissions and papers had passed through their hands, they had not had the precaution to keep any one of them, in order to fortify their evidence. But all these difficulties, and a thousand more, were not found too hard of digestion by the nation and parliament. The prosecution and farther discovery of the plot were still the object of general concern. The commons voted, that, if the king should come to an untimely end, they would revenge his death upon the papists, not reflecting that this sect were not his only enemies. They promised rewards to new discoverers, not considering the danger, which they incurred, of granting bribes to perjury. They made Bedloe a present of 500*l*., and particularly recommended the care of his safety to the Duke of Monmouth. Colonel Sackville, a member, having, in a private company, spoken opprobriously of those who affirmed that there was any plot, was expelled the house. The peers gave power to their com-

mittedes to send for and examine such as would maintain the innocence of those who had been condemned for the plot. A pamphlet having been published to discredit the informers, and to vindicate the catholic lords in the Tower, these lords were required to discover the author, and thereby to expose their own advocate to prosecution. And both houses concurred in renewing the former vote, that the papists had undoubtedly entered into a 'horrid' and 'treasonable' conspiracy against the king, the state, and the protestant religion.

It must be owned, that this extreme violence, in prosecution of so absurd an imposture, disgraces the noble cause of liberty, in which the parliament was engaged. We may even conclude from such impatience of contradiction, that the prosecutors themselves retained a secret suspicion, that the general belief was but ill-grounded. The politicians among them were afraid to let in light, lest it might put an end to so useful a delusion. The weaker and less dishonest party took care, by turning their eyes aside, not to see a truth, so opposite to those furious passions by which they were actuated, and in which they were determined obstinately to persevere.

Sir William Temple had lately been recalled from his foreign employments, and the king, who, after the removal of Danby, had no one with whom he could so much as discourse with freedom on public affairs, was resolved, upon Coventry's dismissal, to make him one of his secretaries of state. But that philosophical patriot, too little interested for the intrigues of a court, too full of spleen and delicacy for the noisy turbulence of popular assemblies, was alarmed at the universal discontents and jealousies which prevailed, and was determined to make his retreat, as soon as possible, from a scene which threatened such confusion. Meanwhile he could not refuse the confidence with which his master honoured him, and he resolved to employ it to the public service. He represented to the king, that, as the jealousies of the nation were extreme, it was necessary to cure them by some new remedy, and to restore that mutual confidence, so requisite for the safety both of king and people, that to refuse everything to the parliament in their present disposition, or to yield everything, was equally dangerous to the constitution, as well as to public tranquillity. That if the king would introduce into his councils such men as enjoyed the confidence of his people, fewer concessions would probably be required, or if unreasonable demands were made, the king, under the sanction of such councillors, might be enabled, with the greater safety to refuse them. And that the heads of the popular party, being gratified with the king's favour, would probably abate of that violence by which they endeavoured at present to pay court to the multitude.

The king assented to these reasons; and in concert with Temple, he laid the plan of the new privy council, without whose advice he declared himself determined for the future to take no measure of importance. This council was to consist of thirty persons, and was never to exceed that number. Fifteen of the chief officers of the crown were to be continued, who, it was supposed, would adhere to the king; and, in case of any extremity, oppose the exorbitancies of faction. The other half of the council was to be composed, either of

men of character, detached from the court, or of those who possessed chief credit in both houses " And the king, in filling up the names of his new council, was well pleased to find, that the members, in land and offices, possessed to the amount of 300,000*l* a year; a sum nearly equal to the whole property of the house of commons, against whose violence the new council was intended to form a barrier to the throne.¹

This experiment was tried, and seemed at first to give some satisfaction to the public. The Earl of Essex, a nobleman of the popular party, son of that Lord Capel who had been beheaded a little after the late king, was created treasurer in the room of Danby the Earl of Sunderland, a man of intrigue and capacity, was made secretary of state Viscount Halifax, a fine genius, possessed of learning, eloquence, industry, but subject to inquietude, and fond of refinements, was admitted into the council These three, together with Temple, who often joined them, though he kept himself more detached from public business, formed a kind of cabinet council, from which all affairs received their first digestion Shaftesbury was made president of the council, contrary to the advice of Temple, who foretold the consequence of admitting a man of so dangerous a character into any part of the public administration

As Temple foresaw, it happened Shaftesbury, finding that he possessed no more than the appearance of court favour, was resolved still to adhere to the popular party, by whose attachment he enjoyed an undisputed superiority in the lower house, and possessed great influence in the other The very appearance of court-favour, empty as it was, tended to render him more dangerous His partizans, observing the progress which he had already made, hoped, that he would soon acquire the entire ascendant, and he constantly flattered them, that if they persisted in their purpose, the king, from indolence, and necessity, and fondness for Monmouth, would at last be induced, even at the expense of his brother's right, to make them every concession they desired

Besides, the antipathy to popery, as well as jealousy of the king and duke, had taken too fast possession of men's minds, to be removed by so feeble a remedy, as this new council, projected by Temple The commons, soon after the establishment of that council, proceeded so far as to vote unanimously, ' That the Duke of York's being a papist, and the hopes of his coming to the crown, had given the highest countenance to the present conspiracies and designs of the papists against the king and the protestant religion ' It was expected, that a bill for excluding him the throne would soon be brought in. To prevent this bold measure, the king concerted some limitations, which he proposed to the parliament He introduced his plan by the following gracious expressions ' And to show you, that, while you are doing

¹ Their names were Prince Rupert, the Archbishop of Canterbury, Lord Finch (chancellor), Earl of Shaftesbury (president), Earl of Anglesea (privy seal), Duke of Albemarle, Duke of Monmouth, Duke of Newcastle, Duke of Lauderdale, Duke of Ormond, Marquis of Winchester, Marquis of Worcester, Earl of Arlington, Earl of Salisbury, Earl of Bridgewater, Earl of Sunderland, Earl of Essex, Earl of Bath, Viscount Falconberg, Viscount Halifax, Bishop of London, Lord Roberts, Lord Hollis, Lord Russell, Lord Cavendish, Secretary Coventry, Sir Francis North (chief justice), Sir Henry Capel, Sir John Ernley, Sir Thomas Churchley, Sir William Temple, Edward Seymour, Henry Powle.

' your parts, my thoughts have not been misemployed, but that it is
' my constant care to do everything that may preserve your religion,
' and secure it for the future in all events, I have commanded my
' lord chancellor to mention several particulars; which, I hope, will
' be an evidence, that, in all things which concern the public security,
' I shall not follow your zeal, but lead it'

The limitations projected were of the utmost importance, and deprived the successor of the chief branches of royalty. A method was there chalked out, by which the nation, on every new reign, could be ensured of having a parliament, which the king should not, for a certain time, have it in his power to dissolve. In case of a popish successor, the prince was to forfeit the right of conferring any ecclesiastical preferments: no member of the privy council, no judge of the common law or in chancery, was to be put in or displaced but by consent of parliament: and the same precaution was extended to the military part of the government, to the lord lieutenants and deputy-lieutenants of the counties, and to all officers of the navy. The chancellor of himself added, 'It is hard to invent another restraint, considering how much the revenue will depend upon the consent of parliament, and how impossible it is to raise money without such consent. But yet, if anything else can occur to the wisdom of parliament, which may farther secure religion and liberty against a popish successor, without defeating the right of succession itself, his majesty will readily consent to it.'

It is remarkable, that, when these limitations were first laid before the council, Shaftesbury and Temple were the only members who argued against them. The reasons which they employed, were diametrically opposite. Shaftesbury's opinion was, that the restraints were insufficient, and that nothing but the total exclusion of the duke could give a proper security to the kingdom. Temple, on the other hand, thought that the restraints were so rigorous as even to subvert the constitution, and that shackles, put upon a popish successor, would not afterwards be easily cast off by a protestant. It is certain, that the duke was extremely alarmed when he heard of this step taken by the king, and that he was better pleased even with the bill of exclusion itself, which, he thought, by reason of its violence and injustice, could never possibly be carried into execution. There is also reason to believe, that the king would not have gone so far, had he not expected, from the extreme fury of the commons, that his concessions would be rejected, and the blame of not forming a reasonable accommodation would by that means lie entirely at their door.

It soon appeared that Charles had entertained a just opinion of the dispositions of the house. So much were the commons actuated by the cabals of Shaftesbury and other malcontents, such violent antipathy prevailed against popery, that the king's concessions, though much more important than could reasonably have been expected, were not embraced. A bill was brought in for the total exclusion of the duke from the crown of England and Ireland. It was there declared, that the sovereignty of these kingdoms, upon the king's death or resignation, should devolve to the person next in succession after the duke, that all acts of royalty which that prince should afterwards

perform should not only be void, but be deemed treason, that if he so much as entered any of these dominions, he should be deemed guilty of the same offence, and that all who supported his title should be punished as rebels and traitors. This important bill, which implied banishment as well as exclusion, passed the lower house by a majority of seventy-nine.

The commons were not so wholly employed about the exclusion-bill as to overlook all other securities to liberty. The country party, during all the last parliament, had much exclaimed against the bribery and corruption of the members, and the same reproach had been renewed against the present parliament. An inquiry was made into a complaint which was so dangerous to the honour of that assembly, but very little foundation was found for it. Sir Stephen Fox, who was the paymaster, confessed to the house, that nine members received pensions to the amount of 3,400*l*. and after a rigorous inquiry by a secret committee, eight more pensioners were discovered. A sum also, about 12,000*l*., had been occasionally given or lent to others. The writers of that age pretend that Clifford and Danby had adopted opposite maxims with regard to pecuniary influence. The former endeavoured to gain the leaders and orators of the house, and deemed the others of no consequence. The latter thought it sufficient to gain a majority, however composed. It is likely that the means, rather than the intention, were wanting to both these ministers.

Pensions and bribes, though it be difficult entirely to exclude them, are dangerous expedients for government, and cannot be too carefully guarded against, nor too vehemently decried by everyone who has a regard to the virtue and liberty of a nation. The influence, however, which the crown acquires from the disposal of places, honours, and preferments, is to be esteemed of a different nature. This engine of power may become too forcible, but it cannot altogether be abolished, without the total destruction of monarchy, and even of all regular authority. But the commons at this time were so jealous of the crown, that they brought in a bill, which was twice read, excluding from the lower house all who possessed any lucrative office.

The standing army and the king's guards were by the commons voted to be illegal. a new pretension, it must be confessed; but necessary for the full security of liberty and a limited constitution.

Arbitrary imprisonment is a grievance which, in some degree, has place almost in every government, except in that of Great Britain, and our absolute security from it we owe chiefly to the present parliament, a merit which makes some atonement for the faction and violence into which their prejudices had, in other particulars, betrayed them. The great charter had laid the foundation of this valuable part of liberty, the petition of right had renewed and extended it, but some provisions were still wanting to render it complete, and prevent all evasion or delay from ministers and judges. The act of 'habeas corpus,' which passed this session, served these purposes. By this act, it was prohibited to send anyone to a prison beyond sea. No judge, under severe penalties, must refuse to any prisoner a writ of 'habeas corpus,' by which the gaoler was directed to produce in court the body of the prisoner (whence the writ has its name), and to certify the cause

of his detainer and imprisonment. If the gaol be within twenty miles of the judge, the writ must be obeyed in three days, and so proportionably for greater distances. every prisoner must be indicted the first term after his commitment, and brought to trial in the subsequent term. And no man, after being enlarged by order of court, can be recommitted for the same offence. This law seems necessary for the protection of liberty in a mixed monarchy, and as it has not place in any other form of government, this consideration alone may induce us to prefer our present constitution to all others. It must, however, be confessed, that there is some difficulty to reconcile with such extreme liberty the full security and the regular police of a state, especially the police of great cities. It may also be doubted, whether the low state of the public revenue in this period, and of the military power, did not still render some discretionary authority in the crown necessary to the support of government.

During these zealous efforts for the protection of liberty, no complaisance for the crown was discovered by this parliament. The king's revenue lay under great debts and anticipations: those branches granted in the years 1669 and 1670 were ready to expire, and the fleet was represented by the king as in great decay and disorder. But the commons, instead of being affected by these distresses of the crown, trusted chiefly to them for passing the exclusion-bill, and for punishing and displacing all the ministers who were obnoxious to them. They were therefore in no haste to relieve the king, and grew only the more assuming on account of his complaints and uneasiness. Jealous, however, of the army, they granted the same sum of 206,000*l*, which had been voted for disbanding it by the last parliament, though the vote, by reason of the subsequent prorogation and dissolution, joined to some scruples of the lords, had not been carried into an act. This money was appropriated by strict clauses, but the commons insisted not, as formerly, upon its being paid into the chamber of London.

The impeachment of the five popish lords in the Tower, with that of the Earl of Danby, was carried on with vigour. The power of this minister, and his credit with the king, rendered him extremely obnoxious to the popular leaders, and the commons hoped, that, if he were pushed to extremity, he would be obliged, in order to justify his own conduct, to lay open the whole intrigue of the French alliance, which they suspected to contain a secret of the most dangerous nature. The king, on his part, apprehensive of the same consequences, and desirous to protect his minister, who was become criminal merely by obeying orders, employed his whole interest to support the validity of that pardon which had been granted him. The lords appointed a day for the examination of the question, and agreed to hear counsel on both sides: but the commons would not submit their pretensions to the discussion of argument and inquiry. They voted, that however should presume, without their leave, to maintain before the house of peers the validity of Danby's pardon, should be accounted a betrayer of the liberties of the English commons. And they made a demand, that the bishops, whom they knew to be devoted to the court, should be removed, not only when the trial of the earl should commence, but also when the validity of his pardon should be discussed.

658 *Rights of the Bishops. Dissolution of Parliament.*

The bishops before the reformation had always enjoyed a seat in parliament. but so far were they anciently from regarding that dignity as a privilege, that they affected rather to form a separate order in the state, independent of the civil magistrate, and accountable only to the pope and to their own order. By the constitutions, however, of Clarendon, enacted during the reign of Hen II., they were obliged to give their presence in parliament, but as the canon law prohibited them from assisting in capital trials, they were allowed in such cases the privilege of absenting themselves. A practice, which was at first voluntary, became afterwards a rule, and on the Earl of Strafford's trial, the bishops, who would gladly have attended, and who were no longer bound by the canon law, were yet obliged to withdraw. It had been usual for them to enter a protest, asserting their right to sit, and this protest, being considered as a mere form, was always admitted and disregarded. But here was started a new question of no small importance. The Commons, who were now enabled, by the violence of the people, and the necessities of the crown, to make new acquisitions of powers and privileges, insisted that the bishops had no more title to vote in the question of the earl's pardon than in the impeachment itself. The bishops asserted, that the pardon was merely a preliminary, and that, neither by the canon law nor the practice of parliament, were they ever obliged, in capital cases, to withdraw till the very commencement of the trial itself. If their absence was considered as a privilege, which was its real origin, it depended on their own choice, how far they would insist upon it. If regarded as a diminution of their right of peerage, such unfavourable customs ought never to be extended beyond the very circumstance established by them, and all arguments, from a pretended parity of reason, were in that case of little or no authority.

The house of lords was so much influenced by these reasons, that they admitted the bishops' right to vote, when the validity of the pardon should be examined. The commons insisted still on their withdrawing, and thus a quarrel being commenced between the two houses, the king, who expected nothing but fresh instances of violence from this parliament, began to entertain thoughts of laying hold of so favourable a pretence, and of finishing the session by a prorogation. While in this disposition, he was alarmed with sudden intelligence, that the house of commons was preparing a remonstrance, in order to inflame the nation still farther upon the favourite topics of the plot and of popery. He hastened, therefore (May 27), to execute his intention, even without consulting his new council, by whose advice he had promised to regulate his whole conduct. And thus were disappointed all the projects of the malcontents, who were extremely enraged at this vigorous measure of the king's. Shaftesbury publicly threatened, that he would have the head of whoever had advised it. The parliament was soon after dissolved without advice of council, and writs were (July 10) issued for a new parliament. The king was willing to try every means which gave a prospect of more compliance in his subjects; and, in case of failure, the blame, he hoped, would lie on those whose obstinacy forced him to extremities.

But, even during the recess of parliament, there was no interruption

to the prosecution of the catholics accused of the plot the king found himself obliged to give way to the popular fury. Whitebread, provincial of the Jesuits, Fenwick, Gavan, Turner, and Harcourt, all of them of the same order, were first brought to their trial. Besides Oates and Bedloe, Dugdale, a new witness, appeared against the prisoners. This man had been steward to Lord Aston, and, though poor, possessed a character somewhat more reputable than the other two. but, his account of the intended massacres and assassinations was equally monstrous and incredible. He even asserted that 200,000 papists in England were ready to take arms. The prisoners proved, by sixteen witnesses from St Omers, students, and most of them young men of family, that Oates was in that seminary at the time when he swore that he was in London. but as they were catholics, and disciples of the Jesuits, their testimony, both with the judges and jury, was totally disregarded. Even the reception which they met with in court was full of outrage and mockery. One of them saying that Oates always continued at St Omers, if he could believe his senses, 'You papists,' said the chief justice, 'are taught not to believe your senses.' It must be confessed, that Oates, in opposition to the students of St Omers, found means to bring evidence of his having been at that time in London. but this evidence, though it had, at that time, the appearance of some solidity, was afterwards discovered, when Oates himself was tried for perjury, to be altogether deceitful. In order farther to discredit that witness, the Jesuits proved, by undoubted testimony, that he had perjured himself in Father Ireland's trial, whom they showed to have been in Staffordshire at the very time when Oates swore that he was committing treason in London. But all these pleas availed them nothing against the general prejudices. They received sentence of death, and were executed, persisting to their last breath in the most solemn, earnest, and deliberate, though disregarded, protestations of their innocence.

The next trial was that of Langhorne, an eminent lawyer, by whom all the concerns of the Jesuits were managed. Oates and Bedloe swore, that all the papal commissions by which the chief offices in England were filled with catholics, passed through his hands. When verdict was given against the prisoner, the spectators expressed their savage joy by loud acclamations. So high indeed had the popular rage mounted, that the witnesses for this unhappy man, on approaching the court, were almost torn in pieces by the rabble. one in particular was bruised to such a degree as to put his life in danger. and another, a woman, declared, that unless the court could afford her protection, she durst not give evidence. but as the judges could go no farther than promise to punish such as should do her any injury, the prisoner himself had the humanity to waive her testimony.

So far the informers had proceeded with success. their accusation was hitherto equivalent to a sentence of death. The first check which they received was on the trial (July 18) of Sir Geo Wakeman, the queen's physician, whom they accused of an intention to poison the king. It was a strong circumstance in favour of Wakeman, that Oates, in his first information before the council, had accused him only upon hearsay, and when asked by the chancellor, whether he

660 *Acquittal of Wakeman. Murder of Abp. Sharpe.*

had anything further to charge him with' he added, 'God forbid I should say anything against Sir George for I know nothing more against him.' On the trial he gave positive evidence of the prisoner's guilt. There were many other circumstances which favoured Wakeman but what chiefly contributed to his acquittal, was the connexion of his cause with that of the queen, whom no one, even during the highest prejudices of the times, could sincerely believe guilty. The great importance of the trial made men recollect themselves, and recall that good sense and humanity which seemed, during some time, to have abandoned the nation. The chief justice himself, who had hitherto favoured the witnesses, exaggerated the plot, and railed against the prisoners, was observed to be considerably mollified, and to give a favourable charge to the jury. Oates and Bedloe had the assurance to attack him to his face, and even to accuse him of partiality before the council. The whole party, who had formerly much extolled his conduct, now made him the object of their resentment. Wakeman's acquittal was indeed a sensible mortification to the furious prosecutors of the plot, and fixed an indelible stain upon the witnesses. But Wakeman, after he recovered his liberty, finding himself exposed to such inveterate enmity, and being threatened with farther prosecutions, thought it prudent to retire beyond sea and his flight was interpreted as a proof of guilt, by those who were still resolved to persist in the belief of the conspiracy.

The great discontents in England, and the refractory disposition of the parliament, drew the attention of the Scottish covenanters, and gave them a prospect of some time putting an end to those oppressions, under which they had so long laboured. It was suspected to have been the policy of Lauderdale and his associates to push these unhappy men to extremities, and force them into rebellion, with a view of reaping profit from the forfeitures and attainders, which would ensue upon it. But the covenanters, aware of this policy, had hitherto forborne all acts of hostility, and that tyrannical minister had failed of his purpose. An incident at last happened, which brought on an insurrection in that country.

The covenanters were much enraged against Sharpe, the primate, whom they considered as an apostate from their principles, and whom they experienced to be an unrelenting persecutor of all those who dissented from the established worship. He had an officer under him, one Carmichael, no less zealous than himself against conventicles, and who by his violent prosecutions had rendered himself extremely obnoxious to the fanatics. A company of these had (May 3, 1679) waylaid him on the road near St Andrews, with an intention, if not of killing him, at least of chastising him so severely as would afterwards render him more cautious in persecuting the non-conformists.¹ While looking out for their prey, they were surprised at seeing the archbishop's coach pass by, and they immediately interpreted this incident as a declaration of the secret purpose of providence against him. But when they observed, that almost all his servants, by some accident, were absent, they no longer doubted, but heaven had here delivered their capital enemy into their hands. Without farther deliberation,

¹ Wodrow's 'Hist. of the Sufferings of the Church of Scotland,' vol. II. p. 28

they fell upon him, dragged him from his coach, tore him from the arms of his daughter, who interposed with cries and tears, and piercing him with redoubled wounds, left him dead on the spot, and immediately dispersed themselves.

This atrocious action served the ministry as a pretence for a more violent persecution against the fanatics, on whom, without distinction, they threw the guilt of those furious assassins. It is indeed certain, that the murder of Sharpe had excited an universal joy among the covenanters, and that their blind zeal had often led them, in their books and sermons, to praise and recommend the assassination of their enemies, whom they considered as the enemies of all true piety and godliness. The stories of Jael and Sisera, of Ehud and Eglon, resounded from every pulpit. The officers, quartered in the west, received more strict orders to find out and disperse all conventicles, and for that reason the covenanters, instead of meeting in small bodies, were obliged to celebrate their worship in numerous assemblies, and to bring arms for their security. At Rutherglen, a small borough, two miles south of Glasgow, they openly set forth a declaration against prelacy, and in the market-place burned several acts of parliament and acts of council, which had established that mode of ecclesiastical government, and had prohibited conventicles. For this insult on the supreme authority, they purposely chose the 29th of May, the anniversary of the restoration, and previously extinguished the bonfires, which had been kindled for that solemnity.

Captain Graham, afterwards Viscount Dundee, an active and enterprising officer, attacked a great conventicle near Loudon-hill, and was repulsed with the loss of thirty men. The covenanters, finding that they were unwarily involved in such deep guilt, were engaged to persevere, and to seek, from their valour and fortune alone, for that indemnity, which the severity of the government left them no hopes of ever being able otherwise to obtain. They pushed on to Glasgow; and though at first repulsed, they afterwards made themselves masters of that city, dispossessed the established clergy; and issued proclamations, in which they declared, that they fought against the king's supremacy, against popery and prelacy, and against a popish successor.

How accidental soever this insurrection might appear, there is reason to suspect, that some great men, in combination with the popular leaders in England, had secretly instigated the covenanters to proceed to such extremities (Algernon Sidney's Letters, p. 90), and hoped for the same effects that had forty years before ensued from the disorders in Scotland. The king also, apprehensive of like consequences, immediately dispatched thither Monmouth with a small body of English cavalry. That nobleman joined to these troops the Scottish guards, and some regiments of militia, levied from the well-affected counties; and with great celerity marched in quest of the rebels. They had taken post near Bothwell-castle, near to Hamilton, and 8 miles from Glasgow, where there was no access to them but over a bridge across the Clyde, which a small body was able to defend against the king's forces. They showed judgment in the choice of their post, but discovered neither judgment nor valour in any other step of their conduct. No nobility and few gentry had joined them. the clergy were in reality

the generals; and the whole army never exceeded 8,000 men. Monmouth (June 22) attacked the bridge, and the body of rebels, who defended it, maintained their post as long as their ammunition lasted. When they sent for more, they received orders to quit their ground, and to retire backwards. This imprudent measure occasioned an immediate defeat to the covenanters. Monmouth passed the bridge without opposition, and drew up his forces opposite to the enemy. His cannon alone put them to rout. About 700 fell in the pursuit: for properly speaking there was no action. Twelve hundred were taken prisoners, and were treated by Monmouth with a humanity which they had never experienced in their own countrymen. Such of them as would promise to live peaceably were dismissed. About 300, who were so obstinate as to refuse this easy condition, were shipped for Barbadoes, but unfortunately perished in the voyage. Two of their clergy were hanged. Monmouth was of a generous disposition, and besides, aimed at popularity in Scotland. The king intended to intrust the government of that kingdom in his hands. He had married a Scottish lady, heir of the great Buccleuch family, and allied to all the chief nobility. And Lauderdale, as he was now declining in his parts, and was much decayed in his memory, began to lose with the king that influence which he had maintained during so many years, notwithstanding the efforts of his numerous enemies both in Scotland and England, and notwithstanding the many violent and tyrannical actions of which he had been guilty. Even at present he retained so much influence as to poison all the good intentions, which the king, either of himself or by Monmouth's suggestion, had formed with regard to Scotland. An act of indemnity was granted, but Lauderdale took care, that it should be so worded as rather to afford protection to himself and his associates, than to the unhappy covenanters. And though orders were given to connive thenceforwards at all conventicles, he found means, under a variety of pretences, to elude the execution of them. It must be owned, however, to his praise, that he was the chief person, who, by his counsel, occasioned the expeditious march of the forces and the prompt orders given to Monmouth, and thereby disappointed all the expectations of the English malcontents, who, reflecting on the disposition of men's minds in both kingdoms, had entertained great hopes from the progress of the Scottish insurrection.

CHAPTER LXVIII.

State of parties—State of the ministry—Mealtub plot—Whig and Tory—A new parliament—Violence of the commons—Exclusion bill—Arguments for and against the exclusion—Exclusion bill rejected—Trial of Stafford—His execution—Violence of the commons—Dissolution of the parliament—New parliament at Oxford—Fitzharris's case—Parliament dissolved—Victory of the Royalists.

THE king, observing that the whole nation concurred at first in the belief and prosecution of the popish plot, had found it necessary for his

own safety to pretend, in all public speeches and transactions, an entire belief and acquiescence in that famous absurdity, and by this artifice he had eluded the violent and irresistible torrent of the people. When a little time and recollection, as well as the execution of the pretended conspirators, had somewhat moderated the general fury, he was now enabled to form a considerable party, devoted to the interests of the crown, and determined to oppose the pretensions of the malcontents.

In every mixed government, such as that of England, the bulk of the nation will always incline to preserve the entire frame of the constitution, but according to the various prejudices, interests, and dispositions of men, some will ever attach themselves with more passion to the regal, others to the popular part of the government. Though the king, after his restoration, had endeavoured to abolish the distinction of parties, and had chosen his ministers from among all denominations, no sooner had he lost his popularity, and exposed himself to general jealousy, than he found it necessary to court the old cavalier party, and to promise them full compensation for that neglect of which they had hitherto complained. The present emergence made it still more necessary for him to apply for their support, and there were many circumstances, which determined them, at this time, to fly to the assistance of the crown, and to the protection of the royal family.

A party, strongly attached to monarchy, will naturally be jealous of the right of succession, by which alone, they believe, stability to be preserved in the government, and a barrier fixed against the encroachments of popular assemblies. The project, openly embraced, of excluding the duke, appeared to that party a dangerous innovation, and the design, secretly projected, of advancing Monmouth, made them apprehensive, lest the inconveniences of a disputed succession should be propagated to all posterity. While the jealous lovers of liberty maintained, that a king, whose title depended on the parliament, would naturally be more attentive to the interests, at least to the humours of the people, the passionate admirers of monarchy considered all dependance as a degradation of kingly government, and a great step towards the establishment of a commonwealth in England.

But though his union with the political royalists brought great accession of force to the king, he derived no less support from the confederacy, which he had, at this time, the address to form with the church of England. He represented to the ecclesiastics the great number of presbyterians and other sectaries, who had entered into the popular party, the encouragement and favour which they met with, the loudness of their cries with regard to popery and arbitrary power. And he made the established clergy and their adherents apprehend, that the old scheme for the abolition of prelacy as well as monarchy was revived, and that the same miseries and oppressions awaited them, to which, during the civil wars and usurpations, they had so long been exposed.

The memory also of those dismal times united many indifferent and impartial persons to the crown, and begat a dread lest the zeal for liberty should engraft itself on fanaticism, and should once more kindle a civil war in the kingdom. Had not the king still retained the

prerogative of dissolving the parliament, there was indeed reason to apprehend the renewal of all the pretensions and violences which had ushered in the last commotions. The one period appeared an exact counterpart to the other. but still discerning judges could perceive, both in the spirit of the parties and in the genius of the prince, a material difference; by means of which Charles was enabled at last, though with the imminent peril of liberty, to preserve the peace of the nation.

The cry against popery was loud, but it proceeded less from religious than from party zeal, in those who propagated, and even in those who adopted it. The spirit of enthusiasm had occasioned so much mischief, and had been so successfully exploded, that it was not possible, by any artifice, again to revive and support it. Cant had been ridiculed, hypocrisy detected, the pretensions to a more thorough reformation, and to greater purity, had become suspicious, and instead of denominating themselves the 'godly' party, the appellation affected at the beginning of the civil wars, the present patriots were content with calling themselves the 'good' and the 'honest' party (Temple, vol. i. p. 335) a sure prognostic, that their measures were not to be so furious, nor their pretensions so exorbitant.

The king too, though not endowed with the integrity and strict principles of his father, was happy in a more amiable manner, and more popular address. Far from being distant, stately, or reserved, he had not a grain of pride or vanity in his whole composition (Temple, vol. i. p. 449), but was the most affable, best bled man alive. He treated his subjects like noblemen, like gentlemen, like freemen, not like vassals or boors. His professions were plausible, his whole behaviour engaging; so that he won upon the hearts, even while he lost the good opinion of his subjects, and often balanced their judgment of things by their personal inclination (Disser. on parties, letter vii.). In his public conduct likewise, though he had sometimes embraced measures dangerous to the liberty and religion of his people, he had never been found to persevere obstinately in them, but had always returned into that path which their united opinion seemed to point out to him. And upon the whole, it appeared to many, cruel and even iniquitous, to remark too rigorously the failings of a prince, who discovered so much facility in correcting his errors, and so much lenity in pardoning the offences committed against himself.

The general affection borne the king, appeared signally about this time. He fell sick at Windsor, and had two or three fits of a fever, so violent as made his life be thought in danger. A general consternation seized all ranks of men, increased by the apprehensions entertained of his successor. In the present disposition of men's minds, the king's death, to use an expression of Sir William Temple (vol. i. p. 342), was regarded as the end of the world. The malcontents, it was feared, would proceed to extremities, and immediately kindle a civil war in the kingdom. Either their entire success, or entire failure, or even the balance and contest of parties, seemed all of them events equally fatal. The king's chief counsellors, therefore, Essex, Halifax, and Sunderland, who stood on bad terms with Shaftesbury and the popular party, advised him to send secretly for the duke, that, in case

of any sinister accident, that prince might be ready to assert his right against the opposition which he was likely to meet with. When the duke arrived (Sept. 2), he found his brother out of danger, and it was agreed to conceal the invitation, which he had received. His journey, however, was attended with important consequences. He prevailed on the king to disgrace Monmouth, whose projects were now known and avowed; to deprive him of his command in the army; and to send him beyond sea. He himself returned to Brussels, but made a short stay in that place. He obtained leave to retire to Scotland, under pretence still of quieting the apprehensions of the English nation; but in reality with a view of securing that kingdom in his interests.

Though Essex and Halifax had concurred in the resolution of inviting over the duke, they soon found, that they had not obtained his confidence, and that even the king, while he made use of their service, had no sincere regard for their persons. Essex in disgust resigned the treasury. Halifax retired to his country seat Temple, despairing of any accommodation among such enraged parties, withdrew almost entirely to his books and his gardens. The king, who changed ministers as well as measures with great indifference, bestowed at this time his chief confidence on Hyde, Sunderland, and Godolphin. Hyde succeeded Essex in the treasury.

All the king's ministers, as well as himself, were extremely averse to the meeting of the new parliament, which they expected to find as refractory as any of the preceding. The elections had gone mostly in favour of the country party. The terrors of the plot had still a mighty influence over the populace; and the apprehensions of the duke's bigoted principles and arbitrary character weighed with men of sense and reflection. The king therefore resolved to prologue the parliament, that he might try, whether time would allay those humours, which, by every other expedient, he had in vain attempted to mollify. In this measure he did not expect the concurrence of his council. He knew, that those popular leaders, whom he had admitted, would zealously oppose a resolution, which disconcerted all their schemes, and that the royalists would not dare, by supporting it, to expose themselves to the vengeance of the parliament, when it should be assembled. These reasons obliged him to take this step entirely of himself, and he only declared his resolution in council. It is remarkable, that, though the king had made profession never to embrace any measure without the advice of these counsellors, he had often broken that resolution, and had been necessitated, in affairs of the greatest consequence, to controul their opinion. Many of them in disgust threw up about this time, particularly Lord Russell, the most popular man in the nation, as well from the mildness and integrity of his character, as from his zealous attachment to the religion and liberties of his country. Though carried into some excesses, his intentions were ever esteemed upright, and being heir to the greatest fortune in the kingdom, as well as void of ambition, men believed, that nothing but the last necessity could ever engage him to embrace any desperate measures. Shaftesbury, who was, in most particulars, of an opposite character, was removed by the king from the office of president of the council, and

the Earl of Radnor, a man who possessed whimsical talents and sple-netic virtues, was substituted in his place

It was the favour and countenance of the parliament, which had chiefly encouraged the rumour of plots ; but the nation had gotten so much into that vein of credulity, and every necessitous villain was so much incited by the success of Oates and Bedloe, that, even during the prorogation, the people were not allowed to remain in tranquillity. There was one Dangerfield, a fellow who had been burned in the hand for crimes, transported, whipped, pilloried four times, fined for cheats, outlawed for felony, convicted of coning, and exposed to all the public infamy which the laws could inflict on the basest and most shameful enormities. The credulity of the people, and the humour of the times enabled even this man to become a person of consequence. He was the author of a new incident, called the 'meal-tub plot,' from the place where some papers, relating to it, were found. The bottom of this affair it is difficult, and not very material, to discover. It only appears, that Dangerfield, under pretence of betraying the conspiracies of the presbyterians, had been countenanced by some catholics of condition, and had even been admitted to the duke's presence and the king's. And that, under pretence of revealing new popish plots, he had obtained access to Shaftesbury and some of the popular leaders. Which side he intended to cheat, is uncertain, or whether he did not rather mean to cheat both. but he soon found, that the belief of the nation was more open to a popish than a presbyterian plot, and he resolved to strike in with the prevailing humour. Though no weight could be laid on his testimony, great clamour was raised, as if the court, by way of retaliation, had intended to load the presbyterians with the guilt of a false conspiracy. It must be confessed, that the present period, by the prevalence and suspicion of such mean and ignoble arts on all sides, throws a great stain on the British annals.

One of the most innocent artifices, practised by party men at this time, was the additional ceremony, pomp, and expence, with which a pope-burning was (Nov. 17) celebrated in London. the spectacle served to entertain, and amuse, and inflame the populace. The Duke of Monmouth likewise came over without leave, and made a triumphant procession through many parts of the kingdom, extremely caressed and admired by the people. All these arts seemed requisite to support the general prejudices, during the long interval of parliament. Great endeavours were also used to obtain the king's consent for the meeting of that assembly. Seventeen peers presented a petition to this purpose. Many of the corporations imitated the example. Notwithstanding several marks of displeasure, and even a menacing proclamation from the king, petitions came from all parts, earnestly insisting on a session of parliament. The danger of popery, and the terrors of the plot were never forgotten in any of these addresses.

Tumultuous petitioning was one of the chief artifices by which the malcontents in the last reign had attacked the crown. and though the manner of subscribing and delivering petitions was now somewhat regulated by act of parliament, the thing itself still remained ; and was an admirable expedient for infesting the court, for spreading discontent, and for uniting the nation in any popular clamour. As the king

found no law, by which he could punish those importunate, and, as he deemed them, undutiful solicitations, he was obliged (1680) to encounter them by popular applications of a contrary tendency. Wherever the church and court party prevailed, addresses were framed, containing expressions of the highest regard to his majesty, the most entire acquiescence in his wisdom, the most dutiful submission to his prerogative, and the deepest 'abhorrence' of those, who endeavoured to encroach upon it, by prescribing to him any time for assembling the parliament. Thus the nation came to be distinguished into 'petitioners' and 'abhorrrers'. Factions indeed were at this time extremely animated against each other. The very names, by which each party denominated its antagonist, discover the virulence and rancour which prevailed. For besides petitioner and abhorrrer, appellations which were soon forgotten, this year is remarkable for being the epoch of the well-known epithets of WHIG and TORY, by which, and sometimes without any material difference, this island has been so long divided. The court party reproached their antagonists with their affinity to the fanatical conventicles in Scotland, who were known by the name of Whigs; the country party found a resemblance between the courtiers and the popish banditti in Ireland, to whom the appellation of Tory was affixed. And after this manner, these foolish terms of reproach came into public and general use, and even at present seem not nearer their end than when they were first invented.

The king used every art to encourage his partizans, and to reconcile the people to his government. He persevered in the great zeal which he affected against popery. He even allowed several priests to be put to death, for no other crime than their having received orders in the Romish church. It is singular, that one of them, called Evans, was playing at tennis, when the warrant for his immediate execution was notified to him. He swore, that he would play out his set first. Charles, with the same view of acquiring popularity, formed an alliance with Spain, and also offered an alliance to Holland; but the Dutch, terrified with the great power of France, and seeing little resource in a country so distracted as England, declined acceptance. He had sent for the duke from Scotland, but desired him to return, when the time of assembling the parliament began to approach.

It was of great consequence to the popular party, while the meeting of parliament depended on the king's will, to keep the law, whose operations are perpetual, entirely on their side. The sheriffs of London by their office return the juries. It had been usual for the mayor to nominate one sheriff by drinking to him, and the common hall had ever without dispute confirmed the mayor's choice. Sir Robert Clayton, the mayor, appointed one who was not acceptable to the popular party; the common-hall rejected him, and Bethel and Cornish, two independents, and republicans, and of consequence deeply engaged with the malcontents, were chosen by a majority of voices. In spite of all remonstrances and opposition, the citizens persisted in their choice, and the court party was obliged for the present to acquiesce.

Juries however were not so partial in the city, but that reason and justice, even when the popish plot was in question, could sometimes prevail. The Earl of Castlemaine, husband to the Duchess of Cleve-

land, was (June 23) acquitted about this time, though accused by Oates and Dangerfield of an intention to assassinate the king. Sir Thomas Gascoigne, a very aged gentleman in the north, being accused by two servants, whom he had dismissed for dishonesty, received a like verdict. These trials were great blows to the plot, which now began to stagger, in the judgment of most men, except those who were entirely devoted to the country party. But in order still to keep alive the zeal against popery, the Earl of Shaftesbury appeared in Westminster-hall, attended by the Earl of Huntingdon, the Lords Russell, Cavendish, Grey, Brandon, Sir Henry Caverly, Sir Gilbert Gerrard, Sir William Cooper, and other persons of distinction, and presented to the grand jury of Middlesex reasons for indicting the Duke of York as a popish recusant. While the jury were deliberating on this extraordinary presentment, the chief justice sent for them, and suddenly, even somewhat irregularly, dismissed them. Shaftesbury however obtained the end for which he had undertaken this bold measure: he showed to all his followers the desperate resolution which he had embraced, never to admit of any accommodation or composition with the duke. By such daring conduct he gave them assurance, that he was fully determined not to desert their cause, and he engaged them to a like devoted perseverance in all the measures which he should suggest to them.

As the kingdom was regularly and openly divided into two zealous parties, it was not difficult for the king to know, that the majority of the new house of commons was engaged in interests opposite to the court: but that he might leave no expedient untried, which could compose the unhappy differences among his subjects, he resolved, at last (Oct. 21), after a long interval, to assemble the parliament. In his speech, he told them, that the several prorogations which he had made, had been very advantageous to his neighbours, and very useful to himself. That he had employed that interval in perfecting with the crown of Spain an alliance, which had often been desired by former parliaments, and which, he doubted not, would be extremely agreeable to them: that, in order to give weight to this measure, and render it beneficial to Christendom, it was necessary to avoid all domestic dissensions, and to unite themselves firmly in the same views and purposes: that he was determined, that nothing on his part should be wanting to such a salutary end, and provided the succession were preserved in its due and legal course, he would concur in any expedient for the security of the protestant religion: that the farther examination of the popish plot and the punishment of the criminals were requisite for the safety both of king and kingdom: and after recommending to them the necessity of providing, by some supplies, for the safety of Tangiers, he proceeded in these words: 'But that which I value above all the treasure in the world, and which I am sure will give us greater strength and reputation both at home and abroad than any treasure can do, is a perfect union among ourselves. Nothing but this can restore the kingdom to that strength and vigour which it seems to have lost, and raise us again to that consideration which England hath usually possessed. All Europe have their eyes upon this assembly, and think their own happiness and misery, as

‘well as ours, will depend upon it. If we should be so unhappy as to fall into misunderstandings among ourselves to that degree as would render our friendship unsafe to trust to, it will not be wondered at, if our neighbours should begin to take new resolutions, and perhaps such as may be fatal to us. Let us therefore take care, that we do not gratify our enemies and discourage our friends, by any unseasonable disputes. If any such do happen, the world will see, that it is no fault of mine: for I have done all that it was possible for me to do, to keep you in peace while I live, and to leave you so when I die. But from so great prudence and so good affection as yours, I can fear nothing of this kind, but do rely upon you all, that you will do your best endeavours to bring this parliament to a good and happy conclusion.’

All these mollifying expressions had no influence with the commons. Every step which they took betrayed the zeal with which they were animated. They voted, that it was the undoubted right of the subject to petition the king for the calling and sitting of parliament. Not content with this decision, which seems justifiable in a mixed monarchy, they fell with the utmost violence on all those ‘abhorrrers,’ who, in their addresses to the crown, had expressed their disapprobation of those petitions. They did not reflect, that it was as lawful for one party of men as for another, to express their sense of public affairs; and that the best established right may, in particular circumstances, be abused, and even the exercise of it become an object of abhorrence. For this offence, they expelled Sir Thomas Withens. They appointed a committee for farther enquiry into such members as had been guilty of a like crime; and complaints were lodged against Lord Paston, Sir Robert Mallverer, Sir Bryan Stapleton, Taylor, and Turner. They addressed the king against Sir Geo. Jefferies, recorder of London, for his activity in the same cause, and they frightened him into a resignation of his office, in which he was succeeded by Sir Geo. Treby, a great leader of the popular party. They voted an impeachment against North, chief justice of the common pleas, for drawing the proclamation against tumultuous petitions; but upon examination found the proclamation so cautiously worded, that it afforded them no handle against him. A petition had been presented to the king from Taunton. ‘How dare you deliver me such a paper!’ said the king to the person who presented it. ‘Sir,’ replied he, ‘my name is DARE.’ For this saucy reply, but under other pretences, he had been tried, fined, and committed to prison. The commons now addressed the king for his liberty, and for remitting his fine. Some printers also and authors of seditious libels they took under their protection.

Great numbers of the abhorrrers, from all parts of England, were seized by order of the commons, and committed to custody. The liberty of the subject, which had been so carefully guarded by the great charter, and by the late law of habeas corpus, was every day violated by their arbitrary and capricious commitments. The chief jealousy, it is true, of the English constitution is naturally and justly directed against the crown, nor indeed have the commons any other means of securing their privileges than by commitments, which, as they cannot beforehand be exactly determined by law, must always

appear in some degree arbitrary. Sensible of these reasons, the people had hitherto, without murmuring, seen this discretionary power exercised by the house; but as it was now carried to excess, and was abused to serve the purposes of faction, great complaints against it were heard from all quarters. At last, the vigour and courage of one Stowell of Exeter, an abhorrer, put an end to the practice. He refused to obey the serjeant-at-arms, stood upon his defence, and said, that he knew of no law by which they pretended to commit him. The house, finding it equally dangerous to proceed or to recede, got off by an evasion: they inserted in their votes, that Stowell was indisposed, and that a month's time was allowed him for recovery of his health.

But the chief violence of the house of commons appeared in all their transactions with regard to the plot, which they prosecuted with the same zeal and the same credulity as their predecessors. They renewed the former vote, which affirmed the reality of the horrid popish plot; and, in order the more to terrify the people, they even asserted, that, notwithstanding the discovery, the plot still subsisted. They expelled Sir Robert Can, and Sir Robert Yeomans, who had been complained of, for saying, that there was no popish, but there was a presbyterian plot. And they greatly lamented the death of Bedloe, whom they called a material witness, and on whose testimony they much depended. He had been seized with a fever at Bristol, had sent for Chief-Justice North, confirmed all his former evidence, except that with regard to the duke and the queen, and desired North to apply to the king for some money to relieve him in his necessities. A few days after, he expired, and the whole party triumphed extremely in these circumstances of his death: as if such a testimony could be deemed the affirmation of a dying man, as if his confession of perjury in some instances could assure his veracity in the rest, and as if the perseverance of one profligate could outweigh the last words of so many men, guilty of no crime but that of popery.

The commons even endeavoured, by their countenance and protection, to remove the extreme infamy with which Dangerfield was loaded, and to restore him to the capacity of being an evidence. The whole tribe of informers they applauded and rewarded. Jennison, Timber-ville, Dugdale, Smith, La Faria, appeared before them, and their testimony, however frivolous or absurd, met with a favourable reception: the king was applied to in their behalf for pensions and pardons: their narratives were printed with that sanction, which arose from the approbation of the house. Dr Tongue was recommended for the first considerable church preferment which should become vacant. Considering men's determined resolution to believe, instead of admitting that a palpable falsehood should be maintained by witnesses, it may justly appear wonderful, that no better evidence was ever produced against the catholics.

The principal reasons, which still supported the clamour of the popish plot, were the apprehensions entertained by the people of the Duke of York, and the resolution, embraced by their leaders, of excluding him from the throne. Shaftesbury and many considerable men of the party, had rendered themselves irreconcilable with him, and could find their safety no way but in his ruin. Monmouth's friends hoped, that

the exclusion of that prince would make way for their patron. The resentment against the duke's apostacy, the love of liberty, the zeal for religion, the attachment to faction, all these motives incited the country party. And above all, what supported the resolution of adhering to the exclusion, and rejecting all other expedients offered, was the hope artfully encouraged, that the king would at last be obliged to yield to their demand. His revenues were extremely burdened, and even if free, could scarcely suffice for the necessary charges of government, much less for that pleasure and expense to which he was inclined. Though he had withdrawn his countenance from Monmouth, he was known secretly to retain a great affection for him. On no occasion had he ever been found to persist obstinately against difficulties and importunity. And as his beloved mistress, the Duchess of Portsmouth, had been engaged, either from lucrative views, or the hopes of making the succession fall on her own children, to unite herself with the popular party, this incident was regarded as a favourable prognostic of their success. Sunderland, the secretary of state, who had linked his interest with that of the duchess, had concurred in the same measure.

But besides friendship for his brother and a regard to the right of succession, there were many strong reasons which had determined Charles to persevere in opposing the exclusion. All the royalists and the devotees to the church; that party by which alone monarchy was supported; regarded the right of succession as inviolable, and if abandoned by the king in so capital an article, it was to be feared that they would, in their turn, desert his cause, and deliver him over to the pretensions and usurpations of the country party. The country party, or the whigs, as they were called, if they did not still retain some propensity towards a republic, were at least affected with a violent jealousy of regal power, and it was equally to be dreaded, that, being enraged with past opposition, and animated by present success, they would, if they prevailed in this pretension, be willing, as well as able, to reduce the prerogative within very narrow limits. All menaces, therefore, all promises were again employed against the king's resolution. he never would be prevailed on to desert his friends, and put himself into the hands of his enemies. And having voluntarily made such important concessions, and tendered, over and over again, such strong limitations, he was well pleased to find them rejected by the obstinacy of the commons, and hoped, that, after the spirit of opposition had spent itself in fruitless violence, the time would come, when he might safely appeal against his parliament to his people.

So much were the popular leaders determined to carry matters to extremities, that in less than a week after the commencement of the session, a motion was made for bringing in an exclusion-bill, and a committee was appointed for that purpose. This bill differed in nothing from the former but in two articles, which showed still an increase of zeal in the commons. the bill was to be read to the people twice a-year in all the churches of the kingdom, and everyone who should support the duke's title was rendered incapable of receiving a pardon but by act of parliament.

The debates were carried on with great violence on both sides. The

672 Reasons for excluding the Duke of York from the Crown.

bill was (Nov. 10) defended by Sir William Jones, who had now resigned his office of attorney-general, by Lord Russell, by Sir Francis Winnington, Sir Harry Capel, Sir William Pulteney, by Colonel Titus, Treby, Hampden, Montague. It was opposed by Sir Leoline Jenkins, secretary of state, Sir John Ernley, chancellor of the exchequer, by Hyde, Seymour, Temple. The arguments, transmitted to us, may be reduced to the following topics.

In every government, said the exclusionists, there is somewhere an authority absolute and supreme, nor can any determination, how unusual soever, which receives the sanction of the legislature, admit afterwards of dispute or controul. The liberty of a constitution, so far from diminishing this absolute power, seems rather to add force to it, and to give it greater influence over the people. The more members of the state concur in any legislative decision, and the more free their voice; the less likelihood is there, that any opposition will be made to those measures which receive the final sanction of their authority. In England, the legislative power is lodged in king, lords, and commons, which comprehend every order of the community and there is no pretext for exempting any circumstance of government, not even the succession of the crown, from so full and decisive a jurisdiction. Even express declarations have, in this particular, been made of parliamentary authority instances have occurred where it has been exerted and though prudential reasons may justly be alleged why such innovations should not be attempted but on extraordinary occasions, the power and right are for ever vested in the community. But if any occasion can be deemed extraordinary, if any emergence can require unusual expedients, it is the present, when the heir to the crown has renounced the religion of the state, and has zealously embraced a faith totally hostile and incompatible. A prince of that communion can never put trust in a people so prejudiced against him the people must be equally diffident of such a prince foreign and destructive alliances will seem to one the only protection of his throne perpetual jealousy, opposition, faction, even insurrections will be employed by the other as the sole securities for their liberty and religion. Though theological principles, when set in opposition to passions, have often small influence on mankind in general, still less on princes, yet when they become symbols of faction, and marks of party distinctions, they concur with one of the strongest passions in the human frame, and are then capable of carrying men to the greatest extremities. Notwithstanding the better judgment and milder disposition of the king; how much has the influence of the duke already disturbed the tenor of government? How often engaged the nation into measures totally destructive of their foreign interests and honour, of their domestic repose and tranquillity? The more the absurdity and incredibility of the popish plot are insisted on, the stronger reason it affords for the exclusion of the duke, since the universal belief of it discovers the extreme antipathy of the nation to his religion, and the utter impossibility of ever bringing them to acquiesce peaceably under the dominion of such a sovereign. The prince, finding himself in so perilous a situation, must seek for security by desperate remedies, and by totally subduing the privileges of a nation which had betrayed such hostile

dispositions towards himself, and towards every thing which he deems the most sacred. It is in vain to propose limitations and expedients. Whatever share of authority is left in the duke's hands, will be employed to the destruction of the nation; and even the additional restraints, by discovering the public diffidence and aversion, will serve him as incitements to put himself in a condition entirely superior and independent. And as the laws of England still make resistance treason, and neither do nor can admit of any positive exceptions, what folly to leave the kingdom in so perilous and absurd a situation, where the greatest virtue will be exposed to the most severe proscription, and where the laws can only be saved by expedients, which these same laws have declared to be the highest crime and enormity?

The court party reasoned in an opposite manner. An authority, they said, wholly absolute and uncontrollable is a mere chimera, and is nowhere to be found in any human institutions. All government is founded on opinion and a sense of duty, and wherever the supreme magistrate, by any law or positive prescription, shocks an opinion regarded as fundamental, and established with a firmness equal to that of his own authority, he subverts the principle by which he himself is established, and can no longer hope for obedience. In European monarchies, the right of succession is justly deemed a fundamental; and even though the whole legislature be vested in a single person, it would never be permitted him by an edict, to disinherit his lawful heir, and call a stranger or more distant relation to the throne. Abuses in other parts of government are capable of redress, from more dispassionate enquiry or better information of the sovereign, and till then ought patiently to be endured. but violations of the right of succession draw such terrible consequences after them, as are not to be paralleled by any other grievance or inconvenience. Vainly is it pleaded, that England is a mixed monarchy, and that a law, assented to by king, lords, and commons, is enacted by the concurrence of every part of the state. it is plain, that there remains a very powerful party, who may indeed be out-voted, but who never will deem a law, subversive of hereditary right, anywise valid or obligatory. Limitations, such as are proposed by the king, give no shock to the constitution, which, in many particulars is already limited, and they may be so calculated as to serve every purpose sought for by an exclusion. If the ancient barriers against regal authority have been able, during so many ages, to remain impregnable, how much more, those additional ones, which, by depriving the monarch of power, tend so far to their own security? The same jealousy too of religion, which has engaged the people to lay these restraints upon the successor, will extremely lessen the number of his partizans, and make it utterly impracticable for him, either by force or artifice, to break the fetters imposed upon him. The king's age and vigorous state of health promise him a long life. and can it be prudent to tear in pieces the whole state, in order to provide against a contingency, which, it is very likely, may never happen? No human schemes can secure the public in all possible, imaginable events, and the bill of exclusion itself, however accurately framed, leaves room for obvious and natural

suppositions, to which it pretends not to provide any remedy. Should the duke have a son, after the king's death, must that son, without any default of his own, forfeit his title? or must the princess of Orange descend from the throne, in order to give place to the lawful successor? But were all these reasonings false, it still remains to be considered, that, in public deliberations, we seek not the expedient which is best in itself, but the best of such as are practicable. The king willingly consents to limitations, and has already offered some which are of the utmost importance: but he is determined to endure any extremity rather than allow the right of succession to be invaded. Let us beware of that factious violence, which leads to demand more than will be granted; lest we lose the advantage of those beneficial concessions, and leave the nation, on the king's demise, at the mercy of a zealous prince, irritated with the ill usage, which, he imagines, he has already met with.

In the house of commons, the reasoning of the Exclusionists appeared the more convincing, and the bill passed by a great majority. It was in the house of peers that the king expected to oppose it with success. The court party was there so prevalent, that it was carried only by a majority of two to pay so much regard to the bill as even to commit it. When (Nov. 15) it came to be debated, the contest was violent. Shaftesbury, Sunderland, and Essex argued for it. Halifax chiefly conducted the debate against it, and displayed an extent of capacity and a force of eloquence, which had never been surpassed in that assembly. He was animated, as well by the greatness of the occasion, as by a rivalry with his uncle Shaftesbury, whom, during that day's debate, he seemed, in the judgment of all, to have totally eclipsed. The king was present during the whole debate, which was prolonged till eleven at night. The bill was thrown out by a considerable majority. All the bishops, except three, voted against it. Besides the influence of the court over them, the church of England, they imagined or pretended, was in greater danger from the prevalence of presbyterianism than of popery, which, though favoured by the duke, and even by the king, was extremely repugnant to the genius of the nation.

The commons discovered much ill humour upon this disappointment. They immediately voted an address for the removal of Halifax from the king's councils and presence for ever. Though the pretended cause was his advising the late frequent prorogations of parliament, the real reason was apparently his vigorous opposition to the Exclusion Bill. When the king applied for money to enable him to maintain Tangiers, which he declared his present revenues totally unable to defend; instead of complying, they voted such an address as was in reality a remonstrance, and one little less violent than that famous remonstrance, which ushered in the civil wars. All the abuses of government, from the beginning almost of the reign, are there insisted on, the Dutch war, the alliance with France, the prorogations and dissolutions of parliament, and as all these measures, as well as the 'damnable' and 'hellish' plot, are there ascribed to the machinations of papists, it was plainly insinuated, that the king had, all along, lain under the influence of that party, and was in reality the chief conspirator against the religion and liberties of his people.

The commons, though they conducted the great business of the exclusion with extreme violence and even imprudence, had yet much reason for the jealousy, which gave rise to it but their vehement prosecution of the popish plot even after so long an interval, discovers such a spirit, either of credulity or injustice, as admits of no apology. The impeachment of the catholic lords in the Tower was revived, and as Viscount Stafford, from his age, infirmities, and narrow capacity, was deemed the least capable of defending himself, it was determined to make him the first victim, that his condemnation might pave the way for a sentence against the rest. The chancellor, now created Earl of Nottingham, was (Nov 30) appointed high steward for conducting the trial.

Three witnesses were produced against the prisoner, Oates, Dugdale, and Turberville. Oates swore, that he saw Fenwick, the Jesuit, deliver to Stafford a commission signed by De Oliva, general of the Jesuits, appointing him pay-master to the papal army, which was to be levied for the subduing of England for this ridiculous imposture still maintained its credit with the commons. Dugdale gave testimony, that the prisoner, at Tixal, a seat of Lord Ashton's had endeavoured to engage him in the design of murdering the king, and had promised him, besides the honour of being sainted by the church, a reward of 500*l* for that service. Turberville deposed, that the prisoner, in his own house at Paris, had made him a like proposal. To offer money for murdering a king, without laying down any scheme by which the assassin may insure some probability or possibility of escape, is so incredible in itself, and may so easily be maintained by any prostitute evidence, that an accusation of that nature, not accompanied with circumstances, ought very little to be attended to by any court of judicature. But notwithstanding the small hold, which the witnesses afforded, the prisoner was able in many material particulars, to discredit their testimony. It was sworn by Dugdale, that Stafford had assisted in a great consult of the catholics held at Tixal, but Stafford proved by undoubted testimony, that at the time assigned he was in Bath, and in that neighbourhood. Turberville had served a noviciate among the Dominicans, but having deserted the convent, he had enlisted as a trooper in the French army, and being dismissed that service, he now lived in London, abandoned by all his relations, and exposed to great poverty. Stafford proved, by the evidence of his gentleman and his page, that Turberville had never, either at Paris or at London, been seen in his company, and it might justly appear strange, that a person, who had so important a secret in his keeping, was so long entirely neglected by him.

The clamour and outrage of the populace, during the trial, were extreme. Great abilities and eloquence were displayed by the managers, Sir William Jones, Sir Francis Winnington, and Serjeant Maynard yet did the prisoner, under all these disadvantages, make a better defence than was expected, either by his friends or his enemies. The unequal contest in which he was engaged, was a plentiful source of compassion to every mind, seasoned with humanity. He represented that, during a course of foity years, from the very commencement of the civil wars, he had, through many dangers, difficulties and losses,

676 *The trial, defence, and execution of Viscount Stafford.*

still maintained his loyalty and was it credible, that now, in his old age, easy in his circumstances, but dispirited by infirmities, he would belie the whole course of his life, and engage against his royal master, from whom he had ever received kind treatment, in the most desperate and most bloody of all conspiracies? He remarked the infamy of the witnesses, the contradictions and absurdities of their testimony; the extreme indigence in which they had lived, though engaged, as they pretended, in a conspiracy with kings, princes, and nobles, the credit and opulence to which they were at present raised. With a simplicity and tenderness more persuasive than the greatest oratory, he still made protestations of his innocence, and could not forbear, every moment, expressing the most lively surprise and indignation at the audacious impudence of the witnesses.

It will appear astonishing to us, as it did to Stafford himself, that the peers, after a solemn trial of six days, should, by a majority of twenty-four voices, give sentence against him. He received however with resignation the fatal verdict. 'God's holy name be praised,' was the only exclamation which he uttered. When the high-steward told him, that the peers would intercede with the king for remitting the more cruel and ignominious parts of the sentence, hanging and quartering, he burst into tears: but he told the lords, that he was moved to this weakness, by his sense of their goodness, not by any terror of that fate which he was doomed to suffer.

It is remarkable, that, after Charles, as is usual in such cases, had remitted to Stafford the hanging and quartering, the two sheriffs, Bethel and Cornish, indulging their own republican humour, and complying with the prevalent spirit of their party, even jealous of monarchy, started a doubt with regard to the king's power of exercising even this small degree of lenity. 'Since he cannot pardon the whole,' said they, 'how can he have power to remit any part of the sentence?' They proposed the doubt to both houses: the peers pronounced it superfluous; and even the commons, apprehensive lest a question of this nature might make way for Stafford's escape, gave this singular answer. 'This house is "content," that the sheriffs do execute William late Viscount Stafford by severing his head from his body "only." Nothing can be a stronger proof of the fury of the times, than that Lord Russell, notwithstanding the virtue and humanity of his character, seconded in the house this barbarous scruple of the sheriffs.

In the interval between the sentence and execution, many efforts were made to shake the resolution of the infirm and aged prisoner, and to bring him to some confession of the treason for which he was condemned. It was even rumoured, that he had confessed, and the zealous partymen, who, no doubt, had secretly, notwithstanding their credulity, entertained some doubts with regard to the reality of the popish conspiracy, expressed great triumph on the occasion. But Stafford, when again called before the house of peers, discovered many schemes, which had been laid by himself and others for procuring a toleration to the catholics, at least a mitigation of the penal laws enacted against them: and he protested, that this was the sole treason of which he had ever been guilty.

Stafford now prepared himself for death with the intrepidity which

became his birth and station, and which was the natural result of the innocence and integrity which, during the course of a long life, he had ever maintained his mind seemed even to collect new force from the violence and oppression under which he laboured. When going (Dec 29) to execution, he called for a cloak to defend him against the rigour of the season. 'Perhaps,' said he, 'I may shake with cold but I trust in God, not for fear.' On the scaffold, he continued, with reiterated and earnest asseverations, to make protestations of his innocence all his fervour was exercised on that point when he mentioned the witnesses, whose perjuries had bereaved him of life, his expressions were full of mildness and of charity. He solemnly disavowed all those immoral principles, which over-zealous protestants had ascribed without distinction to the Church of Rome and he hoped, he said, that the time was now approaching, when the present delusion would be dissipated, and when the force of truth, though late, would engage the whole world to make reparation to his injured honour.

The populace, who had exulted at Stafford's trial and condemnation, were now melted into tears, at the sight of that tender fortitude which shone forth in each feature, and motion, and accent of this aged noble. Their profound silence was only interrupted by sighs and groans with difficulty they found speech to assent to those protestations of innocence, which he frequently repeated. 'We believe you, my lord! God bless you, my lord!' These expressions with a faltering accent flowed from them. The executioner himself was touched with sympathy. Twice he lifted up the axe, with an intent to strike the fatal blow, and as often felt his resolution to fail him. A deep sigh was heard to accompany his last effort, which laid Stafford for ever at rest. All the spectators seemed to feel the blow. And when the head was held up to them with the usual cry, 'This is the head of a traitor,' no clamour of assent was uttered. Pity, remorse, and astonishment had taken possession of every heart, and displayed itself in every countenance.

This is the last blood which was shed on account of the popish plot: an incident, which, for the credit of the nation, it were better to bury in eternal oblivion, but which it is necessary to perpetuate, as well to maintain the truth of history, as to warn, if possible, their posterity and all mankind never again to fall into so shameful, so barbarous a delusion.

The execution of Stafford gratified the prejudices of the country party, but it contributed nothing to their power and security on the contrary, by exciting commiseration, it tended still farther to increase that disbelief of the whole plot, which began now to prevail. The commons, therefore, not to lose the present opportunity, resolved to make both friends and enemies sensible of their power. They passed a bill for easing the protestant dissenters, and for repealing the persecuting statute of the thirty-fifth of Elizabeth this laudable bill was likewise carried through the house of peers. The chief justice was very obnoxious for dismissing the grand jury in an irregular manner, and thereby disappointing that bold measure of Shaftesbury and his friends, who had presented the duke as a recusant. For this crime

the commons sent up an impeachment against him; as also against Jones and Weston, two of the judges, who, in some speeches from the bench, had gone so far as to give to many of the first reformers the appellation of fanatics.

The king, in rejecting the Exclusion Bill, had sheltered himself securely behind the authority of the house of peers, and the commons had been deprived of the usual pretence, to attack the sovereign himself, under colour of attacking his ministers and counsellors. In prosecution however of the scheme, which he had formed, of throwing the blame on the commons in case of any rupture, he made them a new speech. After warning them, that a neglect of this opportunity would never be retrieved, he added these words: 'I did promise you the fullest satisfaction, which your heart could wish, for the security of the protestant religion, and to concur with you in any remedies, which might consist with preserving the succession of the crown in its due and legal course of descent. I do again, with the same reservations, renew the same promises to you and being thus ready on my part to do all that can reasonably be expected from me, I should be glad to know from you, as soon as may be, how far I shall be assisted by you, and what it is you desire from me.'

The most reasonable objection against the limitations proposed by the king, is, that they introduced too considerable an innovation in the government, and almost totally annihilated the power of the future monarch. But considering the present disposition of the commons and their leaders, we may fairly presume, that this objection would have small weight with them, and that their disgust against the court would rather incline them to diminish than support legal authority. They still hoped, from the king's urgent necessities and his usual facility, that he would throw himself wholly into their hands; and that thus, without waiting for the accession of the duke, they might immediately render themselves absolute masters of the government. The commons, therefore, besides insisting still on the exclusion, proceeded to bring in bills of an important, and some of them of an alarming nature: i. to renew the triennial act, which had been so inadvertently repealed in the beginning of the reign: ii. to make the office of judge during good behaviour iii. to declare the levying of money without consent of parliament to be high treason. iv. to order an association for the safety of his majesty's person, for defence of the protestant religion, for the preservation of the protestant subjects against all invasions and opposition whatsoever, and for preventing the Duke of York or any papist from succeeding to the crown. The memory of the covenant was too recent for men to overlook the consequences of such an association and the king, who was particularly conversant in Davila, could not fail of recollecting a memorable foreign instance, to fortify this domestic experience.

The commons also passed many votes, which, though they had not the authority of laws, served however to discover the temper and disposition of the house. They voted, that whoever had advised his majesty to refuse the Exclusion Bill, were promoters of popery and enemies to the king and kingdom. In another vote, they named the Marquess of Worcester, the Earls of Clarendon, Feversham, and

Halifax, Laurence Hyde, and Edward Seymour, as those dangerous enemies; and they requested his majesty to remove them from his person and councils for ever. They voted, that, till the Exclusion Bill were passed, they could not, consistent with the trust reposed in them, grant the king any manner of supply. And lest he should be enabled, by any other expedient, to support the government, and preserve himself independent, they passed another vote, in which they declared, that whoever should hereafter lend, by way of advance, any money upon those branches of the king's revenue, arising from customs, excise, or hearth-money, should be judged a hinderer of the sitting of parliament, and be responsible for the same in parliament.

The king might presume, that the peers, who had rejected the Exclusion Bill, would still continue to defend the throne, and that none of the dangerous bills, introduced into the other house, would ever be presented for the royal assent and approbation. But as there remained no hopes of bringing the commons to any better temper, and as their farther sitting served only to keep faction alive, and to perpetuate the general ferment of the nation, he came secretly to a resolution of proroguing them. They got intelligence (Jan. 10, 1681) about a quarter of an hour before the black rod came to their door. Not to lose such precious time, they passed in a tumultuous manner some extraordinary resolutions. They voted, 'that' whosoever advised his majesty to prorogue this parliament to any other purpose than in order to pass the Bill of Exclusion, was a betrayer of the king, of the protestant religion, and of the kingdom of England, a promoter of the French interest, and a pensioner of France. 'that' thanks be given to the city of London for their manifest loyalty, and for their care and vigilance in the preservation of the king and of the protestant religion. 'that' it is the opinion of this house, that that city was burned in the year 1666 by the papists, designing thereby to introduce arbitrary power and popery into the kingdom. 'that' humble application be made to his majesty for restoring the Duke of Monmouth to all his offices and commands, from which, it appears to the house, he had been removed by the influence of the Duke of York. And 'that' it is the opinion of the house that the prosecution of the protestant dissenters upon the penal laws is at this time grievous to the subject, a weakening of the protestant interest, an encouragement of popery, and dangerous to the peace of the kingdom.

The king passed some laws of no great importance. but the bill for repealing the thirty-fifth of Elizabeth, he privately ordered the clerk of the crown not to present to him. By this artifice, which was equally disobliging to the country party as if the bill had been rejected, and at the same time implied some timidity in the king, that salutary act was for the present eluded. The king had often of himself attempted, and sometimes by irregular means, to give indulgence to nonconformists but besides that he had usually expected to comprehend the catholics in this liberty, the present refractory disposition of the sectaries had much incensed him against them, and he was resolved, if possible, to keep them still at mercy.

The last votes of the commons seemed to be an attempt of forming indirectly an association against the crown, after they found that their

association bill could not pass: the dissenting interest, the city, and the Duke of Monmouth, they endeavoured to connect with the country party. A civil war indeed never appeared so likely as at present, and it was high time for the king to dissolve a parliament, which seemed to have entertained such dangerous projects. Soon after, he summoned another. Though he observed, that the country party had established their interest so strongly in all the electing boroughs, that he could not hope for any disposition more favourable in the new parliament, this expedient was still a prosecution of his former project, of trying every method by which he might form an accommodation with the commons: and if all failed, he hoped, that he could the better justify to his people, at least to his party, a final breach with them.

It had always been much regretted by the royalists, during the civil wars, that the long parliament had been assembled at Westminster, and had thereby received force and encouragement from the vicinity of a potent and factious city, which had zealously embraced their party. Though the king was now possessed of guards, which in some measure overawed the populace, he was determined still farther to obviate all inconveniencies, and he summoned the new parliament to meet at Oxford. The city of London showed how just a judgment he had formed of their dispositions. Besides re-electing the same members, they voted thanks to them for their former behaviour, in endeavouring to discover the depth of the 'horrid' and 'hellish' popish plot, and to exclude the Duke of York, the principal cause of the ruin and misery, impending over the nation. Monmouth with fifteen peers presented a petition against assembling the parliament at Oxford, 'where the two 'houses,' they said, 'could not be in safety, but would be easily exposed to the swords of the papists and their adherents, of whom too many had crept into his majesty's guards.' These insinuations, which pointed so evidently at the king himself, were not calculated to persuade him, but to inflame the people.

The exclusionists might have concluded, both from the king's dissolution of the last parliament, and from his summoning of the present to meet at Oxford, that he was determined to maintain his declared resolution of rejecting their favourite bill: but they still flattered themselves, that his urgent necessities would influence his easy temper, and finally gain them the ascendant. The leaders came to parliament, attended not only by their servants, but by numerous bands of their partizans. The four city members in particular were followed by great multitudes, wearing ribbons, in which were woven these words, 'No popery! no slavery!' The king had his guards regularly mustered. His party likewise endeavoured to make a show of their strength: and on the whole, the assembly at Oxford rather bore the appearance of a tumultuous Polish diet, than of a regular English parliament.

The king (Mar 21) who had hitherto employed the most gracious expressions to all his parliaments, particularly the two last, thought proper to address himself to the present in a more authoritative manner. He complained of the unwarrantable proceedings of the former house of commons, and said, that, as he would never use arbitrary government himself, neither would he ever suffer it in others. By calling, however, this parliament so soon, he had sufficiently shown,

that no past irregularities could inspire him with a prejudice against those assemblies. He now afforded them, he added, yet another opportunity of providing for the public safety; and to all the world had given one evidence more, that on his part he had not neglected the duty incumbent on him.

The commons were not over-awed by the magisterial air of the king's speech. They consisted almost entirely of the same members; they chose the same speaker, and they instantly fell into the same measures, the impeachment of Danby, the repeal of the persecuting statute of Elizabeth, the inquiry into the popish plot, and the Bill of Exclusion. So violent were they on this last article, that no other expedient, however plausible, could so much as be hearkened to. Ernley, one of the king's ministers, proposed, that the duke should be banished, during life, 500 miles from England, and that on the king's demise the next heir should be constituted regent with regal power yet even this expedient, which left the duke only the bare title of king, could not, though seconded by Sir Thos Lyttleton and Sir Thos Mompesson, obtain the attention of the house. The past disappointments of the country party, and the opposition made by the court, had only rendered them more united, more haughty, and more determined. No method but their own, of excluding the duke, could give them any satisfaction.

There was one Fitz-Harris, an Irish catholic, who had insinuated himself into the Duchess of Portsmouth's acquaintance, and had been very busy in conveying to her, intelligence of any libel written by the country party, or of any designs entertained against her or against the court. For services of this kind, and perhaps too, from a regard to his father, Sir Edw Fitz-Harris, who had been an eminent royalist, he had received from the king a present of 250*l*. This man met with one Everard, a Scotchman, a spy of the Exclusionists, and an informer concerning the popish plot, and he engaged him to write a libel against the king, the duke, and the whole administration. What Fitz-Harris's intentions were, cannot well be ascertained it is probable, as he afterwards asserted, that he meant to carry this libel to his patron, the duchess, and to make a merit of the discovery. Everard, who suspected some other design, and who was well pleased on his side to have the merit of a discovery with his patrons, resolved to betray his friend he posted Sir William Waller, a noted justice of peace, and two persons more behind the hangings, and gave them an opportunity of seeing and hearing the whole transaction. The libel, sketched out by Fitz-Harris, and executed partly by him, partly by Everard, was the most furious, indecent, and outrageous performance imaginable; and such as was fitter to hurt than serve any party, which should be so imprudent as to adopt it. Waller carried the intelligence to the king, and obtained a warrant for committing Fitz-Harris, who happened, at that very time, to have a copy of the libel in his pocket. Finding himself now delivered over to the law, he resolved to pay court to the popular party, who were alone able to protect him, and by whom he observed almost all trials to be governed and directed. He affirmed, that he had been employed by the court to write the libel, in order to throw the odium of it on the Exclusionists. but this account, which was

within the bounds of credibilty, he disgraced by circumstances which are altogether absurd and improbable. The intention of the ministers, he said, was to send about copies to all the heads of the country party; and the moment they received them, they were to be arrested, and a conspiracy to be imputed to them. That he might merit favour by still more important intelligence, he commenced a discovery of the great popish plot; and he failed not to confirm all the tremendous circumstances insisted on by his predecessors. He said, that the second Dutch war was entered into with a view of extirpating the protestant religion, both abroad and at home, that Father Parry, a Jesuit, on the disappointment by the peace, told him, that the catholics resolved to murder the king, and had even engaged the queen in that design, that the envoy of Modena offered him 10,000*l.* to kill the king, and upon his refusal the envoy said, that the Duchess of Mazarine, who was as expert at poisoning as her sister, the Countess of Soissons, would, with a little phial, execute that design, that upon the king's death the army in Flanders was to come over, and massacre the protestants, that money was raised in Italy for recruits and supplies, and there should be no more parliaments; and that the duke was privy to this whole plan, and had even entered into the design of Godfrey's murder, which was executed in the manner related by France.

The popish leaders had, all along, been very desirous of having an accusation against the duke, and though Oates and Bedloe, in their first evidence, had not dared to go so far, both Dugdale and Dangerfield had afterwards been encouraged to supply so material a defect, by comprehending him in the conspiracy. The commons, therefore, finding that Fitz-Harris was also willing to serve this purpose, were not ashamed to adopt his evidence, and resolved for that end to save him from the destruction with which he was at present threatened. The king had removed him from the city-prison, where he was exposed to be tampered with by the Exclusionists, had sent him to the Tower; and had ordered him to be prosecuted by an indictment at common law. In order to prevent his trial and execution, an impeachment was voted by the commons against him, and sent up to the lords. That they might shew the greater contempt of the court, they ordered, by way of decision, that the impeachment should be carried up by secretary Jenkins; who was so provoked by the intended affront, that he at first refused obedience; though afterwards, being threatened with commitment, he was induced to comply. The lords voted to remit the affair to the ordinary courts of justice, before whom, as the attorney-general informed them, it was already determined to try Fitz-Harris. The commons maintained, that the peers were obliged to receive every impeachment from the commons; and this indeed seems to have been the first instance of their refusal. They therefore voted, that the lords, in rejecting their impeachment, had denied justice, and had violated the constitution of parliament. They also declared, that whatever inferior court should proceed against Fitz-Harris, or any one that lay under impeachment, would be guilty of a high breach of privilege. Great heats were likely to ensue; and as the king saw no appearance of any better temper in the commons, he gladly laid hold of the opportunity, afforded by a quarrel between the two houses; and

ne proceeded to a dissolution of the parliament. The secret was so well kept, that the commons had no intimation of it, till the black rod came to their door, and summoned them to attend the king at the house of peers.

This vigorous measure, though it might have been foreseen, excited such astonishment in the country party, as deprived them of all spirit, and reduced them to absolute despair. They were sensible, though too late, that the king had finally taken his resolution, and was determined to endure any extremity rather than submit to those terms which they had resolved to impose upon him. They found, that he had patiently waited till affairs should come to full maturity, and having now engaged a national party on his side, had boldly set his enemies at defiance. No parliament, they knew, would be summoned for some years, and during that long interval, the court, though perhaps at the head of an inferior party, yet being possessed of all authority, would have every advantage over a body, dispersed and disunited. These reflections crowded upon every one, and all the Exclusionists were terrified, lest Charles should follow the blow by some action more violent, and immediately take vengeance on them for their long and obstinate opposition to his measures. The king on his part was no less apprehensive, lest despair might prompt them to have recourse to force, and make some sudden attempt upon his person. Both parties therefore hurried from Oxford, and in an instant, that city, so crowded and busy, was left in its usual emptiness and tranquillity.

The court party gathered force from the dispersion and astonishment of their antagonists, and adhered more firmly to the king, whose resolutions, they now saw, could be entirely depended on. The violences of the Exclusionists were every where exclaimed against and aggravated, and even the reality of the plot, that great engine of their authority, was openly called in question. The clergy especially were busy in this great revolution, and being moved, partly by their own fears, partly by the insinuations of the court, they represented all their antagonists as sectaries and republicans, and rejoiced in escaping those perils, which they believed to have been hanging over them. Principles the most opposite to civil liberty, were every where enforced from the pulpit, and adopted in numerous addresses, where the king was flattered in his present measures, and congratulated on his escape from parliaments. Could words have been depended on, the nation appeared to be running fast into voluntary servitude, and seemed even ambitious of resigning into the king's hands all the privileges, transmitted to them, through so many ages, by their gallant ancestors.

But Charles had sagacity enough to distinguish between men's real internal sentiments, and the language which zeal and opposition to a contrary faction may sometimes extort from them. Notwithstanding all these professions of duty and obedience, he was resolved not to trust, for a long time, the people with a new election, but to depend entirely on his own economy for alleviating those necessities under which he laboured. Great retrenchments were made in the household: even his favourite navy was neglected. Tangiers, though it had cost great sums of money, was a few years after abandoned and demolished. The mole was entirely destroyed; and the garrison, being brought

over to England, served to augment that small army, which the king relied on, as one solid basis of his authority. It had been happy for the nation, had Charles used his victory with justice and moderation equal to the prudence and dexterity with which he obtained it.

The first step taken by the court was the trial of Fitz-Harris. Doubts were raised by the jury with regard to their power of trying him, after the concluding vote of the commons but the judges took upon them to decide the question in the affirmative, and the jury were obliged to proceed. The writing of the libel was clearly proved upon Fitz-Harris the only question was with regard to his intentions. He asserted, that he was a spy of the court, and had accordingly carried the libel to the Duchess of Portsmouth, and he was desirous, that the jury should, in this transaction, consider him as a cheat, not as a traitor. He failed, however, somewhat in the proof, and was brought in guilty of treason by the jury.

Finding himself entirely in the hands of the king, he now retracted all his former impostures with regard to the popish plot, and even endeavoured to atone for them by new impostures against the country party. He affirmed that these fictions had been extorted from him by the suggestions and artifices of Trelby the recorder, and of Bethel and Cornish, the two sheriffs this account he persisted in even at his execution, and though men knew, that nothing could be depended on, which came from one so corrupt, and so lost to all sense of honour; yet were they inclined, from his perseverance, to rely somewhat more on his veracity in these last asseverations. But it appears, that his wife had some connections with Mrs Wall, the favourite maid of the Duchess of Portsmouth, and Fitz-Harris hoped, if he persisted in a story agreeable to the court, that some favour might, on that account, be shown to his family.

It is amusing to reflect on the several lights, in which this story has been represented by the opposite factions. The country party affirmed, that Fitz-Harris had been employed by the court, in order to throw the odium of the libel on the Exclusionists, and thereby give rise to a protestant plot. the court party maintained, that the Exclusionists had found out Fitz-Harris, a spy of the ministers, and had set him upon this undertaking, from an intention of loading the court with the imputation of such a design upon the Exclusionists. Rather than acquit their antagonists, both sides were willing to adopt an account the most intricate and incredible. It was a strange situation, in which the people, at this time, were placed, to be every day tortured with these perplexed stories, and inflamed with such dark suspicions against their fellow-citizens. This was no less than the fifteenth false plot, or sham plot, as they were then called, with which the court, it was imagined, had endeavoured to load their adversaries. (College's trial)

The country party had intended to make use of Fitz-Harris's evidence against the duke and the catholics, and his execution was therefore a great mortification to them. But the king and his ministers were resolved not to be contented with so slender an advantage. They were determined to pursue the victory, and to employ against the Exclusionists those very offensive arms, however unfair, which that

party had laid up in store against their antagonists. The whole gang of spies, witnesses, informers, suborners, who had so long been supported and encouraged by the leading patriots, finding now that the king was entirely master, turned short upon their old patrons, and offered their service to the ministers. To the disgrace of the court and of the age, they were received with hearty welcome, and their testimony or rather perjury made use of, in order to commit legal murder upon the opposite party. With an air of triumph and derision it was asked, 'Are not these men good witnesses, who have established the popish plot, upon whose testimony Stafford and so many catholics have been executed, and whom you yourselves have so long celebrated as men of credit and veracity?' You have admitted them into your bosom: they are best acquainted with your treasons: they are determined in another shape to serve their king and country: and you cannot complain, that the same measure, which you meted to others, should now, by a righteous doom or vengeance, be measured out to you.

It is certain, that the principle of retaliation may serve in some cases as a full apology, in others as an alleviation, for a conduct which would otherwise be exposed to great blame. But these infamous arts, which poison justice in its very source, and break all the bands of human society, are so detestable and dangerous that no pretence of retaliation can be pleaded as an apology or even an alleviation of the crime incurred by them. On the contrary, the greater indignation the king and his ministers felt, when formerly exposed to the perjuries of abandoned men, the more reluctance should they now have discovered against employing the same instruments of vengeance upon their antagonists.

The first person on whom the ministers fell, was one College, a London joiner, who had become extremely noted for his zeal against popery, and was much connected with Shaftesbury and the leaders of the country party: for as they relied much upon the populace, men of College's rank and station were useful to them. College had been in Oxford armed with sword and pistol during the sitting of the parliament, and this was made the foundation of his crime. It was pretended that a conspiracy had been entered into to seize the king's person, and detain him in confinement, till he should make the concessions demanded of him. The sheriffs of London were in strong opposition to the court, and it was not strange, that the grand jury named by them rejected the bill against College. The prisoner was therefore sent to Oxford, where the treason was said to have been committed. Lord Norris, a courtier, was sheriff of the county, and the inhabitants were in general devoted to the court party. A jury was named, consisting entirely of royalists, and though they were men of credit and character, yet such was the factious rage which prevailed, that little justice could be expected by the prisoner. Some papers, containing hints and directions for his defence, were taken from him, as he was conducted to his trial: an iniquity, which some pretended to justify by alleging, that a like violence had been practised against a prisoner during the fury of the popish plot. Such wild notions of retaliation were at that time propagated by the court party.

The witnesses produced against College were Dugdale, Turbeville, Haynes, Smith, men who had before given evidence against the catholics; and whom the jury, for that very reason, regarded as the most perjured villains. College, though beset with so many toils, and oppressed with so many iniquities, defended himself with spirit, courage, capacity, presence of mind; and he invalidated the evidence of the crown, by convincing arguments and undoubted testimony yet did the jury, after half-an-hour's deliberation, bring in a verdict against him. The inhuman spectators received the verdict with a shout of applause but the prisoner was no wise dismayed. At his execution, he maintained the same manly fortitude, and still denied the crime imputed to him. His whole conduct and demeanour proved him to have been a man led astray only by the fury of the times, and to have been governed by an honest, but indiscreet zeal for his country and his religion.

Thus the two parties, actuated by mutual rage, but cooped up within the narrow limits of the law, levelled with poisoned daggers the most deadly blows against each other's best, and buried in their factious divisions all regard to truth, honour, and humanity.

CHAPTER LXIX.

State of affairs in Ireland—Shaftesbury acquitted—Argyle's trial—State of affairs in Scotland—State of the ministry in England—New nomination of Sheriff—Quo warrantos—Great power of the crown—A conspiracy—Shaftesbury retires and dies—Rye-house plot—Conspiracy discovered—Execution of the conspirators—Trial of Lord Russell—His execution—Trial of Algernon Sidney—His execution—State of the nation—The State of foreign affairs—King's sickness and death—and character.

WHEN the Cabal entered into the mysterious alliance with France they took care to remove the Duke of Ormond from the committee of foreign affairs; and nothing tended farther to increase the national jealousy, entertained against the new measures, than to see a man of so much loyalty, as well as probity and honour, excluded from public councils. They had even so great interest with the king as to get Ormond recalled from the government of Ireland, and Lord Roberts, afterwards Earl of Radnor, succeeded him in that important employment. Lord Berkeley succeeded Roberts; and the Earl of Essex Berkeley. At last, in the year 1677, Charles cast his eye again upon Ormond, whom he had so long neglected, and sent over lieutenant to Ireland. 'I have done every thing,' said the king, 'to disoblige that man, but it is not in my power to make him my enemy.' Ormond, during his disgrace, had never joined the malcontents, nor encouraged those clamours, which, with too much reason, but often for bad purposes, were raised against the king's measures. He even thought it his duty, regularly, though with dignity, to pay his court at

Whitehall, and to prove that his attachments were founded on gratitude, inclination, and principle, not on any temporary advantages. All the expressions, which dropped from him, while neglected by the court, showed more of good humour, than any prevalence of spleen and indignation. 'I can do you no service,' said he to his friends, 'I have only the power left by my applications to do you some hurt.' When Colonel Carey Dillon solicited him to second his pretensions for an office, and urged that he had no friends but God and his grace, 'Alas! poor Carey,' replied the duke, 'I pity thee; thou couldst not have two friends that possess less interest at court.' 'I am thrown bye,' said he, on another occasion, 'like an old rusty clock, yet even that neglected machine, twice in twenty-four hours points right.'

On such occasions, when Ormond, from decency, paid his attendance at court, the king, equally ashamed to show him civility and to neglect him, was abashed and confounded. 'Sir,' said the profligate Buckingham, 'I wish to know whether it be the Duke of Ormond, that is out of favour with your majesty, or your majesty with the Duke of Ormond; for, of the two, you seem the most out of countenance.'

When Charles found it his interest to show favour to the old royalists, and to the Church of England, Ormond, who was much revered by that whole party, could not fail of recovering, together with the government of Ireland, his former credit and authority. His administration, when lord lieutenant, corresponded to the general tenor of his life, and tended equally to promote the interests of prince and people, of protestant and catholic. Ever firmly attached to the established religion, he was able, even during those jealous times, to escape suspicion, though he gratified not vulgar prejudices by any persecution of the popish party. He increased the revenue of Ireland to 300,000*l.* a year. He maintained a regular army of 10,000 men. He supported a well-disciplined militia of 20,000. And though the act of settlement had so far been infringed, that catholics were permitted to live in corporate towns, they were guarded with so careful an eye, that the most timorous protestant never apprehended danger from them.

The chief office of Essex's ambition was to return to the station of lord lieutenant, where he had behaved with honour and integrity. Shaftesbury and Buckingham bore an extreme hatred to Ormond, both from personal and party considerations. The great aim of the anti-courtiers was to throw reflections on every part of the king's government. It could be no surprise, therefore, to the lord lieutenant to learn, that his administration was attacked in parliament, particularly by Shaftesbury, but he had the satisfaction, at the same time, to hear of the keen, though polite defence, made by his son, the generous Ossory. After justifying several particulars of Ormond's administration against that intriguing patriot, Ossory proceeded in the following words: 'Having spoken of what the lord lieutenant has done, I presume with the same truth to tell your lordships what he has not done. He never advised the breaking of the triple league; he never advised the shutting up of the exchequer; he never advised the declaration for a toleration, he never advised the falling out with the Dutch and the joining with France, he was not the author of that most excellent position "Delenda est Carthago," that Holland, a protestant country,

'should, contrary to the true interests of England, be totally destroyed. 'I beg that your lordships will be so just as to judge of my father and 'all men, according to their actions and their counsels' These few sentences, pronounced by a plain gallant soldier, noted for probity, had a surprising effect upon the audience, and confounded all the rhetoric of his eloquent and factious adversary. The Prince of Orange, who esteemed the former character as much as he despised the latter, could not forbear congratulating by letter the Earl of Ossory on this new species of victory which he had obtained

Ossory, though he ever kept at a distance from faction, was the most popular man in the kingdom, though he never made any compliance with the corrupt views of the court, was beloved and respected by the king. An universal grief appeared on his death, which happened about this time, and which the populace, as is usual wherever they are much affected, foolishly ascribed to poison. Ormond bore the loss with patience and dignity; though he ever retained a pleasing, however melancholy, sense of the signal merit of Ossory. 'I would not 'exchange my dead son,' said he, 'for any living son in Christendom'

These particulars may appear a digression, but it is with pleasure, I own, that I relax myself for a moment in the contemplation of these humane and virtuous characters, amidst that scene of fury and faction, fraud and violence, in which at present our nation has unfortunately engaged us

Besides the general interest of the country party to decry the conduct of all the king's ministers, the prudent and peaceable administration of Ormond was in a particular manner displeasing to them. In England, where the catholics were scarcely one to a hundred, means had been found to excite an universal panic, on account of insurrections, and even massacres, projected by that sect; and it could not but seem strange that in Ireland, where they exceeded the protestants six to one, there should no symptoms appear of any combination or conspiracy. Such an incident, when duly considered, might even in England shake the credit of the plot, and diminish the authority of those leaders, who had so long, with such industry, inculcated the belief of it on the nation. Rewards, therefore, were published in Ireland to any that would bring intelligence or become witnesses; and some profligates were sent over to that kingdom, with a commission to seek out evidence against the catholics. Under pretence of searching for arms or papers, they broke into houses, and plundered them: they threw innocent men into prison, and took bribes for their release: and after all their diligence, it was with difficulty that that country, commonly fertile enough in witnesses, could furnish them with any for their purpose

At last, one Fitzgerald appeared, followed by Ivey, Sanson, Dennis, Bourke, two Macnamaras, and some others. These men were immediately sent over to England, and though they possessed neither character sufficient to gain belief even for truth, nor sense to invent a credible falsehood, they were caressed, rewarded, supported, and recommended by the Earl of Shaftesbury. Oliver Plunket, the titular primate of Ireland, a man of peaceable dispositions, was condemned and executed upon such testimony. And the Oxford parliament entered so far into the matter as to vote, that they were entirely

satisfied in the reality of the 'horrid' and 'damnable' Irish plot. But such decisions, though at first regarded as infallible, had now lost much of their authority, and the public still remained somewhat indifferent and incredulous.

After the dissolution of the parliament and the subsequent victory of the royalists, Shaftesbury's evidences, with Turbeville, Smith, and others, addressed themselves to the ministers, and gave information of high treason against their former patron. It is sufficiently scandalous that intelligence, conveyed by such men, should have been attended to, but there is some reason to think that the court agents, nay, the ministers, nay, the king himself (Wilkinson's narrative), went farther, and were active in endeavouring, though in vain, to find more reputable persons to support the blasted credit of the Irish witnesses. Shaftesbury was committed to prison, and his indictment was presented to the grand jury. The new sheriffs of London, Shute and Pilkington, were engaged as deeply as their predecessors in the country party; and they took care to name a jury devoted to the same cause—a precaution quite necessary, when it was scarcely possible to find men indifferent or attached to neither party. As far as swearing could go, the treason was clearly proved against Shaftesbury, or, rather, so clearly, as to merit no kind of credit or attention. That veteran leader of a party, well enured from his early youth to faction and intrigue, to cabals and conspiracies, was represented as opening without reserve his treasonable intentions to these obscure banditti, and throwing out such violent and outrageous reproaches upon the king, as none but men of low education, like themselves, could be supposed to employ. The draught of an association, it is true, against popery and the duke, was found in Shaftesbury's cabinet; and dangerous inferences might be drawn from many clauses of that paper. But it did not appear that it had been framed by Shaftesbury, or so much as approved by him. And, as projects of an association had been proposed in parliament, it was very natural for this nobleman, or his correspondents, to be thinking of some plan which it might be proper to lay before that assembly. The grand jury, therefore, after weighing all these circumstances, rejected the indictment, and the people, who attended the hall, testified their joy by the loudest acclamations, which were echoed throughout the whole city.

About this time a scheme of oppression was laid in Scotland, after a manner still more flagrant, against a nobleman much less obnoxious than Shaftesbury; and as that country was reduced to a state of almost total subjection, the project had the good fortune to succeed.

The Earl of Argyle, from his youth, had distinguished himself by his loyalty, and his attachment to the royal family. Though his father was head of the covenanters, he himself refused to concur in any of their measures; and when a commission of colonel was given him by the convention of states, he forbore to act upon it, till it should be ratified by the king. By his respectful behaviour, as well as by his services, he made himself acceptable to Charles, when that prince was in Scotland. and even after the battle of Worcester, all the misfortunes, which attended the royal cause, could not engage him to desert it. Under Middleton he obstinately persevered to harass and infest

the victorious English ; and it was not till he received orders from that general, that he would submit to accept of a capitulation. Such jealousy of his loyal attachments was entertained by the commonwealth and protector, that a pretence was soon after fallen upon to commit him to prison ; and his confinement was rigorously continued till the restoration. The king, sensible of his services, had remitted to him his father's forfeiture, and created him Earl of Argyle ; and when a most unjust sentence was passed upon him by the Scottish parliament, Charles had anew remitted it. In the subsequent part of this reign, Argyle behaved himself dutifully ; and though he seemed not disposed to go all lengths with the court, he always appeared, even in his opposition, to be a man of mild dispositions and of peaceable deportment.

A parliament was summoned at Edinburgh this summer, and the duke was appointed commissioner. Besides granting money to the king, and voting the indefeasible right of succession, this parliament enacted a test, which all persons, possessed of offices, civil, military, or ecclesiastical, were bound to take. In this test, the king's supremacy was asserted, the covenant renounced, passive obedience assented to, and all obligations disclaimed of endeavouring any alteration in civil or ecclesiastical establishments. This was the state of the test, as proposed by the courtiers, but the country party proposed also to insert a clause, which could not with decency be refused, expressing the person's adherence to the protestant religion. The whole was of an enormous length, considered as an oath, and what was worse, a confession of faith was there ratified, which had been imposed a little after the reformation, and which contained many articles altogether forgotten by the parliament and nation. Among others, the doctrine of resistance was inculcated ; so that the test, being voted in a hurry, was found on examination to be a medley of contradiction and absurdity. Several persons, the most attached to the crown, scrupled to take it. the bishops and many of the clergy remonstrated the earl of Queensberry refused to swear, except he might be allowed to add an explanation and even the privy council thought it necessary to publish for general satisfaction a solution of some difficulties, attending the test.

Though the courtiers could not reject the clause of adhering to the protestant religion, they proposed, as a necessary mark of respect, that all princes of the blood should be exempted from taking the oath. This exception was zealously opposed by Argyle, who observed, that the sole danger to be dreaded for the protestant religion must proceed from the perversion of the royal family. By insisting on such topics, he drew on himself the secret indignation of the duke, of which he soon felt the fatal consequences.

When Argyle took the test as a privy councillor, he subjoined, in the duke's presence, an explanation, which he had beforehand communicated to that prince, and which he believed to have been approved by him. It was in these words 'I have considered the test, and am very desirous of giving obedience as far as I can. I am confident that the parliament never intended to impose contradictory oaths therefore I think no man can explain it but for himself. Accordingly, I take it as

'far as it is consistent with itself, and the protestant religion. And I do declare, that I mean not to bind myself, in my station, and in a lawful way, from wishing, and endeavouring any alteration, which I think to the advantage of church or state, and not repugnant to the protestant religion and my loyalty and this I understand as a part of my oath.' The duke, as was natural, heard these words with great tranquillity: no one took the least offence. Argyle was not admitted to sit that day in council: and it was impossible to imagine that a capital offence had been committed, where occasion seemed not to have been given, so much as for a frown or reprimand.

Argyle was much surprised, a few days after, to find, that a warrant was issued for committing him to prison; that he was indicted for high-treason, leasing-making and perjury; and that from these innocent words an accusation was extracted, by which he was to forfeit honours, life, and fortune. It is needless to enter into particulars, where the iniquity of the whole is so apparent. Though the sword of justice was displayed, even her semblance was not put on; and the forms alone of law were preserved, in order to sanctify, or rather aggravate the oppression. Of five judges, three did not scruple to find the guilt of treason and leasing-making to be incurred by the prisoner: a jury of fifteen noblemen gave verdict against him and the king, being consulted, ordered the sentence to be pronounced; but the execution of it to be suspended till farther orders.

It was pretended by the duke and his creatures, that Argyle's life and fortune were not in any danger, and that the sole reason for pushing the trial to such extremities against him was in order to make him renounce some hereditary jurisdictions, which gave his family a dangerous authority in the highlands, and obstructed the course of public justice. But allowing the end to be justifiable, the means were infamous, and such as were incompatible, not only with a free, but a civilized government. Argyle had therefore no reason to trust any longer to the justice or mercy of such enemies: he made his escape from prison: and till he should find a ship for Holland, he concealed himself during some time in London. The king heard of his lurking-place, but would not allow him to be arrested (Burnet, vol. 1. p. 522). All the parts however of his sentence, as far as the government in Scotland had power, were rigorously executed; his estate confiscated, his arms reversed and torn.

It would seem, that the genuine passion for liberty was at this time totally extinguished in Scotland, there was only preserved a spirit of mutiny and sedition, encouraged by a mistaken zeal for religion. Cameron and Cargill, two furious preachers, went a step beyond all their brethren: they publicly excommunicated the king for his tyranny and his breach of the covenant; and they renounced all allegiance to him. Cameron was killed by the troops in an action at Aird's-Moss, near Muirkirk; Cargill was taken and hanged. Many of their followers were tried and convicted. Their lives were offered them if they would say, 'God save the king;' but they would only agree to pray for his repentance. This obstinacy was much insisted on as an apology for the rigors of the administration: but if duly considered, it will rather afford reason for a contrary inference. Such unhappy delusion is an

692 *Severe rule of the Duke of York when in Scotland*

object rather of commiseration than of anger: and it is almost impossible, that men could have been carried to such a degree of frenzy, unless provoked by a long train of violence and oppression.

As the king was master in England, and (1682) no longer dreaded the clamours of the country party, he permitted the duke to pay him a visit, and was soon after prevailed on to allow of his return to England, and of his bearing a part in the administration. The duke went to Scotland, in order to bring up his family, and settle the government of that country, and he chose to take his passage by sea. The ship struck on a sand-bank, and was lost. The duke escaped in the barge, and it is pretended, that, while many persons of rank and quality were drowned, and among the rest Hyde, his brother-in-law, he was very careful to save several of his dogs and priests, for these two species of favourites are coupled together by some writers. It has likewise been asserted, that the barge might safely have held more persons, and that some who swam to it were thrust off, and even their hands cut, in order to disengage them. But every action of every eminent person, during this period, is so liable to be misinterpreted and misrepresented by faction, that we ought to be very cautious in passing judgment on too slight evidence. It is remarkable, that the sailors on board the ship, though they felt themselves sinking, and saw inevitable death before their eyes, yet, as soon as they observed the duke to be in safety, gave a loud shout, in testimony of their joy and satisfaction.

The duke, during his abode in Scotland, had behaved with great civility towards the gentry and nobility; and by his courtly demeanour had much won upon their affections: but his treatment of the enthusiasts was still somewhat rigorous, and in many instances he appeared to be a man of a severe, if not an unrelenting temper. It is even asserted, that he sometimes assisted at the torture of criminals, and looked on with tranquillity, as if he were considering some curious experiment.¹ He left the authority in the hands of the Earl of Aberdeen, chancellor, and the Earl of Queensberry, treasurer. A very arbitrary spirit appeared in their administration. A gentleman of the name of Weir was tried, because he had kept company with one who had been in rebellion; though that person had never been marked out by process or proclamation. The inferences upon which Weir was condemned (for a prosecution by the government and a condemnation were in Scotland the same thing) hung upon each other after the following manner. no man, it was supposed, could have been in a rebellion without being exposed to suspicion in the neighbourhood, if the neighbourhood had suspected him, it was to be presumed that each individual had likewise heard of the grounds of suspicion; every man was bound to declare to the government his suspicion against every man, and to avoid the company of traitors; to fail in this duty was to participate in the treason, the conclusion on the whole was, you have conversed with a rebel, therefore you are yourself a rebel. A reprieve was, with some difficulty, procured for Weir, but it was seriously determined to make use of the precedent. Courts of judicature were erected in the

¹ Burnet, vol. 1. p. 583. Wodrow, vol. 11. p. 169. This last author, who is much the better authority, mentions only one instance, that of Spreul, which seems to have been an extraordinary one.

southern and western counties, and a strict inquisition carried on against this new species of crime. The term of three years was appointed for the continuance of these courts; after which an indemnity was promised. Whoever would take the test, was instantly entitled to the benefit of this indemnity. The presbyterians, alarmed with such tyranny, from which no man could deem himself safe, began to think of leaving the country, and some of their agents were sent to England, in order to treat with the proprietors of Carolina for a settlement in that colony. Any condition seemed preferable to the living in their native country, which, by the prevalence of persecution and violence, was become as insecure to them as a den of robbers.

Above 2000 persons were outlawed on pretence of their conversing or having intercourse with rebels (Wodrow, vol. II. Append. 94), and they were continually hunted in their retreat by soldiers, spies, informers, and oppressive magistrates. It was usual to put ensnaring questions to people living peaceably in their own houses, such as, 'Will you renounce the covenant? Do you esteem the rising at Bothwell to be rebellion? Was the killing of the archbishop of St. Andrews murder?' And when the poor deluded creatures refused to answer, capital punishments were inflicted on them (Wodrow, vol. II. passim). Even women were brought to the gibbet for this pretended crime. A number of fugitives, rendered frantic by oppression, had published a seditious declaration; renouncing allegiance to Charles Stuart, whom they called, as they, for their parts, had indeed some reason to esteem him, a tyrant. This incident afforded the privy council a pretence for an unusual kind of oppression. Soldiers were dispersed over the country, and power was given to all commissioned-officers, even the lowest, to oblige every one they met with to abjure the declaration, and upon refusal, instantly, without farther questions, to shoot the delinquent (Wodrow, vol. II. p. 434). It were endless, as well as shocking, to enumerate all the instances of persecution, or, in other words, of absurd tyranny, which at that time prevailed in Scotland. One of them is so singular, that I cannot forbear relating it.

Three women were seized (Wodrow, vol. II. p. 505), and the customary oath was tendered to them, by which they were to abjure the seditious declaration above mentioned. They all refused, and were condemned to a capital punishment by drowning. One of them was an elderly woman the other two were young, one eighteen years of age, the other only thirteen. Even these violent persecutors were ashamed to put the youngest to death; but the other two were conducted to the place of execution, and were tied at Wigtown to stakes within the sea-mark at low water; a contrivance which rendered their death lingering and dreadful. The elderly woman was placed farthest in, and by the rising of the waters was first suffocated. The younger, partly terrified with the view of her companion's death, partly subdued by the entreaty of her friends, was prevailed with to say, 'God save the King.' Immediately the spectators called out that she had submitted; and she was loosened from the stake. Major Winram, the officer who guarded the execution, again required her to sign the abjuration; and upon her refusal, he ordered her instantly to be plunged in the water, where she was suffocated.

The severity of the administration in Scotland is in part to be ascribed to the duke's temper, to whom the king had consigned over the government of that country, and who gave such attention to affairs as to allow nothing of moment to escape him. Even the government of England, from the same cause, began to be somewhat infected with the same severity. The duke's credit was great at court. Though neither so much beloved nor esteemed as the king, he was more dreaded, and thence an attendance more exact, as well as a submission more obsequious was paid to him. The saying of Waller was remarked, that Charles, in spite to the parliament, who had determined that the duke should not succeed him, was resolved that he should reign even in his lifetime.

The king, however, who loved to maintain a balance in his councils, still supported Halifax, whom he created a marquiss, and made privy seal, though ever in opposition to the duke. This man, who possessed the finest genius and most extensive capacity of all employed in public affairs during the present reign, affected a species of neutrality between the parties, and was esteemed the head of that small body known by the denomination of 'Timmeis'. This conduct, which is more natural to men of integrity than of ambition, could not, however, procure him the former character, and he was always, with reason, regarded as an intriguer rather than a patriot. Sunderland, who had promoted the exclusion-bill, and who had been displaced on that account, was again, with the duke's consent, brought into the administration. The extreme duplicity, at least variableness, of this man's conduct through the whole course of his life, made it be suspected that it was by the king's direction he had mixed with the country party. Hyde, created earl of Rochester, was first commissioner of the treasury, and was entirely in the duke's interests.

The king himself was obliged to act as the head of a party, a disagreeable situation for a prince, and always the source of much injustice and oppression. He knew how obnoxious the dissenters were to the church, and he resolved, contrary to the maxims of toleration which he had hitherto supported in England, to gratify his friends by the persecution of his enemies. The laws against conventicles were now rigorously executed, an expedient which the king knew would diminish neither the numbers nor influence of the non-conformists, and which is therefore to be deemed more the result of passion than of policy. Scarcely any persecution serves the intended purpose but such as amounts to a total extermination.

Though the king's authority made every day great advances, it still met with considerable obstacles, chiefly from the city, which was entirely in the hands of the malcontents. The juries in particular, named by the sheriffs, were not likely to be impartial judges between the crown and the people, and, after the experiments already made in the case of Shaftesbury and that of College, tison, it was apprehended, might there be committed with impunity. There could not therefore be a more important service to the court than to put affairs upon a different footing. Sir John Moore, the mayor, was gained by secretary Jenkins, and encouraged to insist upon the customary privilege of his office, of naming one of the sheriffs. Accordingly,

when the time of election came, he drank to North, a Levant merchant, who accepted of that expensive office. The country party said, that being lately returned from Turkey, he was, on account of his recent experience, better qualified to serve the purposes of the court. A poll was opened for the election of another sheriff, and here began the contest, the majority of the common-hall, headed by the two sheriffs of the former year, refused to acknowledge the mayor's right of appointing one sheriff, but insisted that both must be elected (June 24) by the livery. Papillon and Dubois were the persons whom the country party agreed to elect; Box was pointed out by the courtiers. The poll was opened, but as the mayor would not allow the election to proceed for two vacancies, the sheriffs and he separated, and each carried on the poll apart. The country party, who voted with the sheriffs for Papillon and Dubois, were much more numerous than those who voted with the mayor for Box but as the mayor insisted, that his poll was the only legal one, he declared Box to be duly elected. All difficulties, however, were not surmounted. Box, apprehensive of the consequences which might attend so dubious an election, fined off, and the mayor found it necessary to proceed to a new choice. When the matter was proposed to the common-hall, a loud cry was raised, No election! No election! The two sheriffs already elected, Papillon and Dubois, were insisted on as the only legal magistrates. But as the mayor still maintained, that Box alone had been legally chosen, and that it was now requisite to supply his place, he opened books anew; and during the tumult and confusion of the citizens, a few of the mayor's partizans elected Rich, unknown to and unheeded by the rest of the livery. North and Rich were accordingly sworn in sheriffs for the ensuing year, but it was necessary to send a guard of the train bands to protect them in entering upon their office. A new mayor of the court party was (Oct. 25) chosen, by means, as is pretended, still more violent and irregular.

Thus the country party were dislodged from their strong hold in the city. where, ever since the commencement of factions in the English government, they had, without interruption, almost without molestation, maintained a superiority. It had been happy, had the partialities, hitherto objected to juries, been corrected, without giving place to partialities of an opposite kind but in the present distracted state of the nation, an equitable neutrality was almost impossible to be attained. The court and church party, who were now named on juries, made justice subservient to their factious views, and the king had a prospect of obtaining full revenge on his enemies. It was not long before the effects of these alterations were seen. When it was first reported, that the duke intended to leave Scotland, Pilkington, at that time sheriff, a very violent man, had broken out in these terms, 'He has already burned the city, and he is now coming to cut all our throats!' For these scandalous expressions, the duke sued Pilkington, and enormous damages to the amount of 100,000*l.* were decreed him. By the law of England, ratified in the great charter, no fines or damages ought to extend to the total ruin of a criminal. Sir Patience Ward, formerly mayor, who gave evidence for Pilkington, was sued for perjury, and condemned to the pillory. a severe sentence,

and sufficient to deter all witnesses from appearing in favour of those who were prosecuted by the court

But though the crown had (1683) obtained so great a victory in the city, it was not quite decisive, and the contest might be renewed every year at the election of magistrates. An important project, therefore, was formed, not only to make the king master of the city, but by that precedent to gain him uncontrolled influence in all the corporations of England, and thereby give the greatest wound to the legal constitution, which the most powerful and most arbitrary monarchs had ever yet been able to inflict. A writ of 'quo warranto' was issued against the city, that is, an enquiry into the validity of its charter. It was pretended, that the city had forfeited all its privileges, and ought to be declared no longer a corporation, on account of two offences which the court of aldermen and common council had committed. After the great fire in 1666, all the markets had been rebuilt, and had been fitted up with many conveniences, and, in order to defray the expense, the magistrates had imposed a small toll on goods brought to market. In the year 1679, they had addressed the king against the prorogation of parliament, and had employed the following terms: 'Your petitioners are greatly surprised at the late prorogation, whereby the prosecution of the public justice of the kingdom, and the making of necessary provisions for the preservation of your majesty and your protestant subjects, have received interruption.' These words were pretended to contain a scandalous reflection on the king and his measures. The cause of the city was defended against the attorney and solicitor generals, by Treby and Pollexfen.

These last pleaded, that, since the foundation of the monarchy, no corporation had ever yet been exposed to forfeiture, and the thing itself implied an absurdity, that a corporation, as such, was incapable of all crime or offence, and none were answerable for any iniquity but the persons themselves who committed it: that the members, in choosing magistrates, had entrusted them with legal powers only; and where the magistrates exceeded these powers, their acts were void, but could never involve the body itself in any criminal imputation: that such had ever been the practice of England, except at the reformation, when the monasteries were abolished, but this was an extraordinary case; and it was even thought necessary to ratify afterwards the whole transaction by act of parliament. That corporate bodies, framed for public good, and calculated for perpetual duration, ought not to be annihilated for the temporary faults of their members, who might themselves, without hurting the community, be questioned for their offences: that even a private estate, if entailed, could not be forfeited to the crown, on account of treason committed by the tenant for life, but upon his demise went to the next in remainder. That the offences, objected to the city, far from deserving so severe a punishment, were not even worthy of the smallest reprehension. That all corporations were invested with the power of making bye-laws; and the smallest borough in England had ever been allowed to carry the exercise of this power farther than London had done in the instance complained of: that the city, having, at its own expense, repaired the markets, which were built too on its own estate, might as

lawfully claim a small recompense from such as brought commodities thither, as a man might require rent for a house, of which he was possessed. That those who disliked the condition, might abstain from the market, and whoever paid, had done it voluntarily that it was an avowed right of the subjects to petition, nor had the city in their address abused this privilege that the king himself had often declared, the parliament often voted, the nation to be in danger from the popish plot; which, it is evident, could not be fully prosecuted but in a parliamentary manner that the impeachment of the popish lords was certainly obstructed by the frequent prorogations, as was also the enacting of necessary laws, and providing for the defence of the nation that the loyalty of the city, no less than their regard to self-preservation, might prompt them to frame the petition; since it was acknowledged, that the king's life was every moment exposed to the most imminent danger from the popish conspiracy that the city had not accused the king of obstructing justice, much less of having any such intention, since it was allowed, that evil counsellors were alone answerable for all the pernicious consequences of any measure and that it was unaccountable, that two public deeds, which had not, during so long a time, subjected to any, even the smallest penalty, the persons guilty of them, should now be punished so severely upon the corporation, which always was, and always must be innocent.

It is evident, that those who would apologize for the measures of the court, must, in this case, found their arguments, not on law, but reasons of state. The judges, therefore, who (June 12) condemned the city, are inexcusable; since the sole object of their determinations must ever be the pure principles of justice and equity. But the office of judge was at that time held during pleasure, and it was impossible that any cause, where the court bent its force, could ever be carried against it. After sentence was pronounced, the city applied in a humble manner to the king, and he agreed to restore their charter, but in return they were obliged to submit to the following regulations: that no mayor, sheriff, recorder, common serjeant, town-clerk, or coroner, should be admitted to the exercise of his office without his majesty's approbation that if the king disapprove twice of the mayor or sheriffs elected, he may by commission appoint these magistrates: that the mayor and court of aldermen may, with his majesty's leave, displace any magistrate and that no alderman, in case of a vacancy, shall be elected without consent of the court of aldermen, who, if they disapprove twice of the choice, may fill the vacancy.

All the corporations in England, having the example of London before their eyes, saw how vain it would prove to contend with the court, and were, most of them, successively induced to surrender their charters into the king's hands. Considerable sums were exacted for restoring the charters, and all offices of power and profit were left at the disposal of the crown. It seems strange, that the independent royalists, who never meant to make the crown absolute, should yet be so elated with the victory obtained over their adversaries, as to approve of a precedent, which left no national privileges in security, but enabled the king under like pretences, and by means of like instruments, to recal anew all those charters, which at present he was pleased to grant.

And every friend to liberty must allow, that the nation, whose constitution was thus broken in the shock of faction, had a right, by every prudent expedient, to recover that security, of which it was so unhappily bereaved

While so great a faction adhered to the crown, it is apparent, that resistance, however justifiable, could never be prudent; and all wise men saw no expedient but peaceably to submit to the present grievances. There was, however, a party of malcontents, so turbulent in their disposition, that, even before this last iniquity, which laid the whole constitution at the mercy of the king, they had meditated plans of resistance, at a time when it could be as little justifiable as prudent. In the spring 1681,¹ a little before the Oxford parliament, the king was seized with a fit of sickness at Windsor, which gave great alarm to the public. The Duke of Monmouth, Lord Russell, Lord Grey, instigated by the restless Shaftesbury, had agreed, in case the king's sickness should prove mortal, to rise in arms, and to oppose the succession of the duke Charles recovered, but these dangerous projects were not laid aside. The same conspirators, together with Essex and Salisbury, were determined to continue the Oxford parliament, after the king, as was daily expected, should dissolve it, and they engaged some leaders among the commons in the same desperate measure. They went so far as to detain several lords in the house, under pretence of signing a protest against rejecting Fitzharris's impeachment, but hearing that the commons had broken up in great consternation, they were likewise obliged at last to separate. Shaftesbury's imprisonment and trial put an end for some time to these machinations, and it was not till the new sheriffs were imposed on the city that they were revived. The leaders of the country party began then to apprehend themselves in imminent danger; and they were well pleased to find, that the citizens were struck with the same terror, and were thence inclined to undertake the most perilous enterprises. Besides the city, the gentry and nobility in several counties of England were solicited to rise in arms. Monmouth engaged the Earl of Macclesfield, Lord Brandon, Sir Gilb. Gerrard, and other gentlemen in Cheshire, Lord Russell fixed a correspondence with Sir Will. Courtney, Sir Fran. Rowles, Sir Fran. Drake, who promised to raise the west, and Trenchard in particular, who had interest in the disaffected town of Taunton, assured him of considerable assistance from that neighbourhood. Shaftesbury, and his emissary Ferguson, an independent clergyman, and a restless plotter, managed the correspondence in the city, upon which the confederates chiefly relied. The whole train was ready to take fire: but was prevented by the caution of Lord Russell, who induced Monmouth to delay the enterprize. Shaftesbury, in the mean time, was so much affected with the sense of his danger, that he had left his house, and secretly lurked in the city; meditating all those desperate schemes, which disappointed revenge and ambition could inspire. He exclaimed

¹ Lord Grey's Secret History of the Rye House Plot. This is the most full and authentic account of all these transactions, but is in the main confirmed by Bishop Sprat, and even Burnet, as well as by the trials and dying confessions of the conspirators, so that nothing can be more unaccountable than that any one should pretend, that this conspiracy was an imposture like the popish plot. Monmouth's declaration published in the next reign, confesses a consult for extraordinary remedies.

loudly against delay, and represented to his confederates, that having gone so far, and entrusted the secret into so many hands, there was no safety for them but in a bold and desperate prosecution of their purpose. The projects were therefore renewed: meetings of the conspirators were appointed in different houses, particularly in Shephard's, an eminent wine-merchant in the city. the plan of an insurrection was laid in London, Cheshire, Devonshire, and Bristol: the several places of rendezvous in the city were concerted: and all the operations fixed: the state of the guards was even viewed by Monmouth and Armstrong, and an attack on them pronounced practicable: a declaration to justify the enterprize to the public was read and agreed to, and every circumstance seemed now to render an insurrection unavoidable, when a new delay was procured by Trenchard, who declared that the rising in the west could not for some weeks be in sufficient forwardness.

Shaftesbury was enraged at these perpetual cautions and delays in an enterprize, which, he thought, nothing but courage and celerity could render effectual: he threatened to commence the insurrection with his friends in the city alone, and he boasted, that he had 10,000 'brisk boys,' as he called them, who, on a motion of his finger, were ready to fly to arms. Monmouth, Russell, and the other conspirators, were, during some time, in apprehensions, lest despair should push him into some dangerous measure, when they heard, that, after a long combat between fear and rage, he had at last abandoned all hopes of success, and had retired into Holland. He lived in a private manner at Amsterdam, and for greater security desired to be admitted into the magistracy of that city: but his former violent counsels against the Dutch commonwealth were remembered, and all applications from him were rejected. He died soon after, and his end gave neither sorrow to his friends, nor joy to his enemies. His furious temper, notwithstanding his capacity, had done great injury to the cause in which he was engaged. The violences and iniquities, which he suggested and encouraged, were greater than even faction itself could endure, and men could not forbear sometimes recollecting, that the same person, who had become so zealous a patriot, was once a most prostitute courtier. It is remarkable, that this man, whose principles and conduct were, in all other respects, so exceptionable, proved an excellent chancellor: and that all his decrees, while he possessed that high office, were equally remarkable for justness and for integrity. So difficult is it to find in history a character either wholly bad or perfectly good; though the prejudices of party make writers run easily into the extremes both of panegyric and of satire.

After Shaftesbury's departure, the conspirators found some difficulty in renewing the correspondence with the city malcontents, who had been accustomed to depend solely on that nobleman. Their common hopes, however, as well as common fears, made them at last have recourse to each other, and a regular project of an insurrection was again formed. A council of six was erected, consisting of Monmouth, Russell, Essex, Howard, Algernon Sidney, and John Hampden, grandson of the great parliamentary leader. These men entered into an agreement with Argyle and the Scottish malcontents, who engaged,

that, upon the payment of 10,000*l.* for the purchase of arms in Holland, they would bring the Covenanters into the field. Insurrections, likewise, were anew projected in Cheshire and the west, as well as in the city; and some meetings of the leaders were held, in order to reduce these projects into form. The conspirators differed extremely in their views. Sidney was passionate for a commonwealth. Essex had embraced the same project. But Monmouth had entertained hopes of acquiring the crown for himself. Russell, as well as Hampden, was much attached to the ancient constitution, and intended only the exclusion of the duke, and the redress of grievances. Lord Howard was a man of no principle, and was ready to embrace any party which his immediate interest should recommend to him. But notwithstanding this difference of characters and of views, their common hatred of the duke and the present administration united them in one party; and the dangerous experiment of an insurrection was resolved on.

While these schemes were concerting among the leaders, there was an inferior order of conspirators, who held frequent meetings, and, together with the insurrection, carried on projects quite unknown to Monmouth and the cabal of six. Among these men were Colonel Rumsey, an old republican officer, who had distinguished himself in Portugal, and had been recommended to the king by Maieschal Schomberg; Lieutenant-Colonel Walcot, likewise a republican officer, Good-enough, under-sheriff of London, a zealous and noted party-man; West, Tyley, Norton, Ayloff, lawyers, Ferguson, Rouse, Hone, Keeling, Holloway, Bourne, Lec, Rumbald. Most of these last were merchants or tradesmen; and the only persons of this confederacy who had access to the leaders of the party, were Rumsey and Ferguson. When these men met together, they indulged themselves in the most desperate and most criminal discourse. they frequently mentioned the assassination of the king and the duke, to which they had given the familiar appellation of 'lopping.' they even went so far as to have thought of a scheme for that purpose. Rumbald, who was a maltster, possessed a farm, called the Ryehouse, which lay on the road to Newmarket, whither the king commonly went once a-year, for the diversion of the races. A plan of this farm had been laid before some of the conspirators by Rumbald, who showed them how easy it would be, by overturning a cart, to stop at that place the king's coach, while they might fire upon him from the hedges, and be enabled afterwards, through bye-lanes and across the fields, to make their escape. But though the plausibility of this scheme gave great pleasure to the conspirators, no concerted design was as yet laid, nor any men, horses, or arms provided the whole was little more than loose discourse, the overflowings of their zeal and rancour. The house, in which the king lived at Newmarket, took fire accidentally, and he was obliged to leave that place eight days sooner than he intended. To this circumstance his safety was afterwards ascribed, when the conspiracy was detected; and the court party could not sufficiently admire the wise dispensations of Providence. It is indeed certain, that as the king had thus unexpectedly left Newmarket, he was worse attended than usual; and Rumbald informed his confederates with regret, what a fine opportunity was thus unfortunately lost.

Among the conspirators I have mentioned Keiling, a salter in London. This man had been engaged in a bold measure, of arresting the mayor of London, at the suit of Papillon and Dubois, the ousted sheriffs, and being liable to prosecution for that action, he thought it safest to purchase a pardon, by revealing the conspiracy, in which he was deeply concerned. He brought (June 12) to Secretary Jenkins intelligence of the assassination plot, but as he was a single evidence, the secretary, whom many false plots had probably rendered incredulous, scrupled to issue warrants for the commitment of so great a number of persons. Keiling, therefore, in order to fortify his testimony, engaged his brother in treasonable discourse with Goodenough, one of the conspirators, and Jenkins began now to give more attention to the intelligence. The conspirators had got some hint of the danger, in which they were involved, and all of them concealed themselves. One person alone, of the name of Barber, an instrument-maker, was seized, and as his confession concurred in many particulars with Keiling's information, the affair seemed to be put out of all question, and a more diligent search was everywhere made after the conspirators.

West, the lawyer, and Colonel Rumsey, finding the perils to which they were exposed in endeavouring to escape, resolved to save their own lives at the expence of their companions, and they surrendered themselves with an intention of becoming evidence. West could do little more than confirm the testimony of Keiling with regard to the assassination plot, but Rumsey, besides giving additional confirmation of the same design, was at last, though with much difficulty, led to reveal the meetings at Shephard's. Shephard was immediately apprehended, and had not courage to maintain fidelity to his confederates. Upon his information, orders were issued for arresting the great men engaged in the conspiracy. Monmouth absconded, Russell was sent to the Tower. Grey was arrested, but escaped from the messenger. Howard was taken, while he concealed himself in a chimney; and being a man of profligate morals, as well as indigent circumstances, he scrupled not, in hopes of a pardon and a reward, to reveal the whole conspiracy. Essex, Sidney, and Hampden were immediately apprehended upon his evidence. Every day some of the conspirators were detected in their lurking-places, and thrown into prison.

Lieut.-Col. Walcot was first brought to his trial. This man, who was once noted for bravery, had been so far overcome by the love of life, that he had written to Secretary Jenkins, and had offered, upon promise of pardon, to turn evidence. but no sooner had he taken this mean step, than he felt more generous sentiments arise in him; and he endeavoured, though in vain, to conceal himself. The witnesses against him were Rumsey, West, Shephard, together with Bourne, a brewer. His own letter to the secretary was produced, and rendered the testimony of the witnesses unquestionable. Hone and Rouse were also condemned. These two men, as well as Walcot, acknowledged, at their execution, the justness of the sentence, and from their trial and confession, it is sufficiently apparent, that the plan of an insurrection had been regularly formed, and that even the assassination had been

often talked of, and that not without the approbation of many of the conspirators.

The condemnation of these criminals was probably intended as a preparative to the trial of Lord Russell, and served to impress the public with a thorough belief of the conspiracy, as well as a horror against it. The witnesses produced against the noble prisoner were Rumsey, Shephard, and Lord Howard. Rumsey swore, that he himself had been introduced to the cabal at Shephard's, where Russell was present; and had delivered them a message from Shaftesbury, urging them to hasten the intended insurrection but had received for answer, that it was found necessary to delay the design, and that Shaftesbury must therefore, for some time, rest contented. This answer, he said, was delivered by Ferguson, but was assented to by the prisoner. He added, that some discourse had been entered into about taking a survey of the guards; and he thought that Monmouth, Grey, and Armstrong undertook to view them. Shephard deposed, that his house had beforehand been bespoken by Ferguson for the secret meeting of the conspirators, and that he had been careful to keep all his servants from approaching them, and had served them himself. Their discourse, he said, ran chiefly upon the means of surprising the guards; and it was agreed, that Monmouth and his two friends should take a survey of them. The report, which they brought next meeting, was, that the guards were remiss, and that the design was practicable but he did not affirm that any resolution was taken of executing it. The prisoner, he thought, was present at both these meetings; but he was sure that at least he was present at one of them. A declaration, he added, had been read by Ferguson in Russell's presence. the reasons of the intended insurrection were there set forth, and all the public grievances fully displayed.

Lord Howard had been one of the cabal of six, established after Shaftesbury's flight; and two meetings had been held by the conspirators, one at Hampden's, another at Russell's. Howard deposed, that, at the first meeting, it was agreed to begin the insurrection in the country before the city; the places were fixed, the proper quantity and kind of arms agreed on, and the whole plan of operations concerted; that at the second meeting, the conversation chiefly turned upon their correspondence with Aigyle and the discontented Scots, and that the principal management of that affair was entrusted to Sidney, who had sent one Aaron Smith into Scotland with proper instructions. He added, that in these deliberations no question was put, or votes collected, but there was no contradiction, and, as he took it, all of them, the prisoner among the rest, gave their consent.

Rumsey and Shephard were very unwilling witnesses against Lord Russell; and it appears from Grey's Secret History (page 43), that, if they had pleased, they could have given a more explicit testimony against him. This reluctance, together with the difficulty in recollecting circumstances of a conversation, which had passed above eight months before, and which the persons had not at that time any intention to reveal, may beget some slight objection to their evidence. But on the whole, it was undoubtedly proved, that the insurrection had been deliberated on by the prisoner, and fully resolved; the surprisal

of the guards deliberated on, but not fully resolved; and that an assassination had never once been mentioned or imagined by him. So far the matter of fact seems certain but still, with regard to law, there remained a difficulty, and that of an important nature.

The English laws of treason, both in the manner of defining that crime, and in the proof required, are the mildest and most indulgent, and consequently the most equitable that are any where to be found. The two chief species of treason, contained in the statute of Edw. III., are the compassing and intending of the king's death, and the actually levying of war against him; and by the law of Mary, the crime must be proved by the concurring testimony of two witnesses, to some overt act, tending to these purposes. But the lawyers, partly desirous of paying court to the sovereign, partly convinced of ill consequences which might attend such narrow limitations, had introduced a greater latitude, both in the proof and definition of the crime. It was not required that the two witnesses should testify the same precise overt act: it was sufficient, that they both testified some overt act of the same treason; and though this evasion may seem a subtilty, it had long prevailed in the courts of judicature, and had at last been solemnly fixed by parliament at the trial of Lord Stafford. The lawyers had used the same freedom with the law of Edw. III. They had observed, that, by that statute, if a man should enter into a conspiracy for a rebellion, should even fix a correspondence with foreign powers for that purpose, should provide arms and money, yet, if he were detected and no rebellion ensued, he could not be tried for treason. To prevent this inconvenience, which it had been better to remedy by a new law, they had commonly laid their indictment for intending the death of the king, and had produced the intention of rebellion as a proof of that other intention. But though this form of indictment and trial was very frequent, and many criminals had received sentence upon it, it was still considered as somewhat irregular, and was plainly confounding, by a sophism, two species of treason, which the statute had accurately distinguished. What made this refinement still more exceptionable, was, that a law had passed soon after the restoration; in which the consulting or the intending of a rebellion was, during Charles's lifetime, declared treason, and it was required, that the prosecution should be commenced within six months after the crime was committed. But notwithstanding this statute, the lawyers had persevered, as they still do persevere, in the old form of indictment; and both Sir Harry Vane, and Oliver Plunket, titular primate of Ireland, had been tried by it. Such was the general horror, entertained against the old republicans and the popish conspirators, that no one had murmured against this interpretation of the statute, and the lawyers thought that they might follow the precedent, even in the case of the popular and beloved Lord Russell. Russell's crime fell plainly within the statute of Charles II., but the facts sworn to by Rumsey and Shephard were beyond the six months required by law, and to the other facts Howard was a single witness. To make the indictment, therefore, more extensive, the intention of murdering the king was comprehended in it; and for proof of this intention the conspiracy for raising a rebellion was assigned; and what seemed to

bring the matter still nearer, the design of attacking the king's guards.

Russell perceived this irregularity, and desired to have the point argued by counsel the chief justice told him, that this favour could not be granted, unless he previously confessed the facts charged upon him. The artificial confounding of the two species of treason, though a practice supported by many precedents, is the chief, but not the only hardship, of which Russell had reason to complain on his trial. His defence was feeble, and he contented himself with protesting, that he never had entertained any design against the life of the king his veracity would not allow him to deny the conspiracy for an insurrection. The jury were men of a fair and reputable character, but zealous royalists: after a short deliberation, they brought in the prisoner guilty.

Applications were made to the king for a pardon, even money, to the amount of 100,000*l.*, was offered to the Duchess of Portsmouth by the old Earl of Bedford, father to Russell. The king was inexorable. He had been extremely harassed with the violence of the country party; and he had observed, that the prisoner, besides his secret designs, had always been carried to the highest extremity of opposition in parliament. Russell had even adopted a sentiment, similar to what we meet with in a letter of the younger Brutus. Had his father, he said, advised the king to reject the exclusion bill, he would be the first to move for a parliamentary impeachment against him. When such determined resolution was observed, his popularity, his humanity, his justice, his very virtues became so many crimes, and were used as arguments against sparing him. Charles therefore would go no farther than remitting the more ignominious part of the sentence, which the law requires to be pronounced against traitors. 'Lord Russell,' said he, 'shall find, that I am possessed of that prerogative, which, in the case of Lord Stafford, he thought proper to deny me.' As the fury of the country party had rendered it impossible for the king, without the imminent danger of his crown, to pardon so many catholics, whom he firmly believed innocent, and even affectionate and loyal to him, he probably thought, that, since the edge of the law was now ready to fall upon that party themselves, they could not reasonably expect, that he would interpose to save them.

Russell's consort, a woman of virtue, daughter and heir of the good Earl of Southampton, threw herself at the king's feet, and pleaded with many tears the merits and loyalty of her father, as an atonement for those errors, into which honest, however mistaken, principles had seduced her husband. These supplications were the last instance of female weakness (if they deserve the name) which she betrayed. Finding all applications vain, she collected courage, and not only fortified herself against the fatal blow, but endeavoured by her example to strengthen the resolution of her unfortunate lord. With a tender and decent composure they took leave of each other on the day of his execution. 'The bitterness of death is now past,' said he, when he turned from her. Lord Cavendish had lived in the closest intimacy with Russell, and deserted not his friend in the present calamity. He offered to manage his escape, by changing clothes with him, and re-

maiming at all hazards in his place. Russell refused to save his own life, by an expedient which might expose his friend to so many hardships. When the Duke of Monmouth by message offered to surrender himself, if Russell thought that this measure would any wise contribute to his safety, 'It will be no advantage to me,' he said, 'to have my 'friends die with me' Some of his expressions discover, not only composure, but good humour in this melancholy extremity. The day before his execution he was seized with a bleeding at the nose. 'I shall not now let blood to divert this distemper,' said he to Doctor Burnet who attended him, 'that will be done to-morrow.' A little before the sheriffs conducted him to the scaffold, he wound up his watch, 'Now I have done,' said he, 'with time, and henceforth must think solely of eternity.'

The scaffold was erected in Lincoln's Inn Fields, a place distant from the Tower, and it was probably intended, by conducting Russell through so many streets, to show the mutinous city their beloved leader, once the object of all their confidence, now exposed to the utmost rigours of the law. As he was the most popular among his own party, so was he ever the least obnoxious to the opposite faction; and his melancholy fate (July 21, 1683) united every heart, sensible of humanity, in a tender compassion for him. Without the least change of countenance, he laid his head on the block, and at two strokes it was severed from his body.

In the speech, which he delivered to the sheriffs, he was very anxious to clear his memory from any imputation of ever intending the king's death, or any alteration in the government. He could not explicitly confess the projected insurrection without hurting his friends, who might still be called in question for it, but he did not purge himself of that design, which, in the present condition of the nation, he regarded as no crime. By many passages in his speech he seems to the last to have lain under the influence of party zeal, a passion, which, being nourished by a social temper, and clothing itself under the appearance of principle, it is almost impossible for a virtuous man, who has acted in public life, ever thoroughly to eradicate. He professed his entire belief in the popish plot, and he said, that, though he had often heard the seizure of the guards mentioned, he had ever disapproved of that attempt. To which he added, that the massacring of so many innocent men in cool blood was so like a popish practice, that he could not but abhor it. Upon the whole, the integrity and virtuous intentions, rather than the capacity, of this unfortunate nobleman, seem to have been the shining parts of his character.

Algernon Sidney was next brought to his trial. This gallant person, son of the Earl of Leicester, had entered deeply into the war against the late king, and though nowise tainted with enthusiasm, he had so far shared in all the counsels of the independent republican party, as to have been named on the high court of justice which tried and condemned that monarch, he thought not proper, however, to take his seat among the judges. He ever opposed Cromwell's usurpation with zeal and courage, and after making all efforts against the restoration, he resolved to take no benefit of the general indemnity, but chose voluntary banishment, rather than submit to a government and family

which he abhorred. As long as the republican party had any existence, he was active in every scheme, however unpromising, which tended to promote their cause; but at length, in 1677, finding it necessary for his private affairs to return to England, he had applied for the king's pardon, and had obtained it. When the factions, arising from the popish plot, began to run high, Sidney, full of those ideas of liberty, which he had imbibed from the great examples of antiquity, joined the popular party; and was even willing to seek a second time, through all the horrors of civil war, for his adored republic.

From this imperfect sketch of the character and conduct of this singular personage, it may easily be conceived how obnoxious he was become to the court and ministry, what alone renders them blameable was the illegal method which they took for effecting their purpose against him. On Sidney's trial they produced a great number of witnesses, who proved the reality of a plot in general; and when the prisoner exclaimed, that all these evidences said nothing of him, he was answered, that this method of proceeding, however irregular, had been practised in the prosecutions of the popish conspirators; a topic more fit to condemn one party than to justify the other. The only witness who deposed against Sidney, was Lord Howard, but as the law required two witnesses, a strange expedient was fallen on to supply this deficiency. In ransacking the prisoner's closet, some discourses on government were found, in which he had maintained principles, favourable indeed to liberty, but such as the best and most dutiful subjects in all ages have been known to embrace, the original contract, the source of power from a consent of the people, the lawfulness of resisting tyrants, the preference of liberty to the government of a single person. These papers were asserted to be equivalent to a second witness, and even to many witnesses. The prisoner replied, that there was no other reason for ascribing these papers to him as the author, besides a similitude of hand, a proof which was never admitted in criminal prosecutions. That allowing him to be the author, he had composed them solely for his private amusement, and had never published them to the world, or even communicated them to any single person. That, when examined, they appeared, by the colour of the ink, to have been written many years before, and were in vain produced as evidence of a present conspiracy against the government. And that where the law positively requires two witnesses, one witness, attended with the most convincing circumstances, could never suffice, much less, when supported by a circumstance so weak and precarious. All these arguments, though urged by the prisoner with great courage and pregnancy of reason, had no influence. The violent and inhuman Jefferies was now chief justice, and by his direction a partial jury was easily prevailed on to give verdict against Sidney. His execution followed a few days after. He complained, and with reason, of the iniquity of the sentence, but he had too much greatness of mind to deny those conspiracies with Monmouth and Russell, in which he had been engaged. He rather gloried, that he now (Dec. 17, 1683) suffered for that 'good old cause,' in which, from his earliest youth, he said, he had enlisted himself.

The execution of Sidney is regarded as one of the greatest blemishes

of the present reign. The evidence against him, it must be confessed, was not legal; and the jury, who condemned him, were, for that reason, very blameable. But that after sentence passed by a court of judicature, the king should interpose and pardon a man, who, though otherwise possessed of merit, was undoubtedly guilty, who had ever been a most inflexible and most inveterate enemy to the royal family, and who lately had even abused the king's clemency, might be an act of heroic generosity, but can never be regarded as a necessary and indispensable duty.

Howard was also the sole evidence against Hampden, and his testimony was not supported by any material circumstance. The crown-lawyers therefore found it in vain to try the prisoner for treason. they laid the indictment only for a misdemeanour, and obtained sentence against him. The fine imposed was exorbitant; no less than forty thousand pounds.

Holloway, a merchant of Bristol, one of the conspirators, had fled to the West Indies, and was now brought over. He had been outlawed, but the year allowed him for surrendering himself, was not expired. A trial was therefore offered him, but as he had at first confessed his being engaged in a conspiracy for an insurrection, and even allowed that he had heard some discourse of an assassination, though he had not approved of it, he thought it more expedient to throw himself on the king's mercy. He was executed, persisting in the same confession.

Sir Thos Armstrong, who had been seized in Holland, and sent over by Chidley, the king's minister, was precisely in the same situation with Holloway but the same favour, or rather justice, was refused him. The lawyers pretended, that, unless he had voluntarily surrendered himself before the expiration of the time assigned, he could not claim the privilege of a trial, not considering that the seizure of his person ought in equity to be supposed the accident which prevented him. The king bore a great enmity against this gentleman, by whom he believed the Duke of Monmouth to have been seduced from his duty. he also asserted, that Armstrong had once promised Cromwell to assassinate him, though it must be confessed, that the prisoner justified himself from this imputation by very strong arguments. These were the reasons of that injustice which was now done him. It was apprehended that sufficient evidence of his guilt could not be produced, and that even the partial juries, which were now returned, and which allowed themselves to be entirely directed by Jefferies and other violent judges, would not give sentence against him.

On the day that Russell was tried, Essex, a man eminent both for virtues and abilities, was found in the Tower with his throat cut. The coroner's inquest brought in their verdict, 'self-murder' yet because two children ten years old (one of whom too departed from his evidence) had affirmed that they heard a great noise from his window and that they saw a hand throw out a bloody razor, these circumstances were laid hold of, and the murder was ascribed to the king and the duke, who happened that morning to pay a visit to the Tower. Essex was subject to fits of deep melancholy, and had been seized with one immediately upon his commitment. he was accustomed to main-

tain the lawfulness of suicide. and his countess, upon a strict enquiry, which was committed to the care of Dr Burnet, found no reason to confirm the suspicion yet could not all these circumstances, joined to many others, entirely remove the imputation. It is no wonder, that faction is so productive of vices of all kinds for, besides that it inflames all the passions, it tends much to remove those great restraints, honour and shame; when men find, that no iniquity can lose them the applause of their own party, and no innocence secure them against the calumnies of the opposite.

But though there is no reason to think, that Essex had been murdered by any orders from court, it must be acknowledged that an unjustifiable use in Russell's trial was made of that incident. The king's counsel mentioned it in their pleadings as a strong proof of the conspiracy; and it is said to have had great weight with the jury. It was insisted on in Sidney's trial for the same purpose.

Some memorable causes, tried about this time, though they have no relation to the Rye-house conspiracy, show the temper of the bench and of the juries. Oates was convicted of having called the duke a popish traitor; was condemned in damages to the amount of 100,000*l.*, and was adjudged to remain in prison till he should make payment. A like sentence was passed upon Dutton-Colt for a like offence. Sir Samuel Banauldston was fined 10,000*l.*, because in some private letters which had been intercepted, he had reflected on the government. This gentleman was obnoxious, because he had been foreman of that jury which rejected the bill against Shaftesbury. A pretence was therefore fallen upon for punishing him; though such a precedent may justly be deemed a very unusual act of severity, and sufficient to destroy all confidence in private friendship and correspondence.

There is another remarkable trial, which shows the disposition of the courts of judicature, and which, though it passed in the ensuing year, it may not be improper to relate in this place. One Rosewell, a presbyterian preacher, was accused by three women of having spoken treasonable words in a sermon. They swore to two or three periods, and agreed so exactly together, that there was not the smallest variation in their depositions. Rosewell on the other hand made a very good defence. He proved, that the witnesses were low and infamous persons. He proved, that, even during Cromwell's usurpation, he had always been a royalist; that he prayed constantly for the king in his family, and that in his sermons he often inculcated the obligations of loyalty. And as to the sermon of which he was accused, several witnesses, who heard it, and some who wrote in short hand, deposed that he had used no such expressions as those which were imputed to him. He offered his own notes as a farther proof. The women could not show, by any circumstance or witness, that they were at his meeting. And the expressions, to which they deposed, were so gross, that no man in his senses could be supposed to employ them before a mixed audience. It was also urged, that it appeared next to impossible for three women to remember so long a period upon one single hearing, and to remember it so exactly, as to agree to a tittle in their depositions with regard to it. The prisoner offered to put the whole upon this issue. he would pronounce, with his usual tone of voice, a period

as long as that to which they had sworn; and then let them try to repeat it, if they could.. What was more unaccountable, they had forgotten even the text of his sermon; nor did they remember any single passage, but the words to which they gave evidence. After so strong a defence, the solicitor general thought not proper to make any reply. even Jefferies went no farther than some general declamations against conventicles and presbyterians yet so violent were party-prejudices, that the jury gave a verdict against the prisoner; which however appeared so palpably unjust, that it was not carried into execution.

The Duke of Monmouth had absconded on the first discovery of the conspiracy; and the court could get no intelligence of him. At length, Halifax, who began to apprehend the too great prevalence of the royal party, and who thought, that Monmouth's interest would prove the best counterpoise to the duke's, discovered his retreat and prevailed on him to write two letters to the king, full of the tenderest and most submissive expressions. The king's fondness was revived, and he permitted Monmouth to come to court. He even endeavoured to mediate a reconciliation between his son and his brother, and having promised Monmouth, that his testimony should never be employed against any of his friends, he engaged him to give a full account of the plot. But, in order to put the country party to silence, he called next day an extraordinary council, and informed them that Monmouth had showed great penitence for the share which he had had in the late conspiracy, and had expressed his resolutions never more to engage in such criminal enterprises. He went so far as to give orders, that a paragraph to the like purpose should be inserted in the Gazette. Monmouth kept silence till he had obtained his pardon in form: but finding, that, by taking this step, he was entirely disgraced with his party, and that, even though he should not be produced in court as an evidence, his testimony, being so publicly known, might have weight with juries on any future trial, he resolved at all hazards to retrieve his honour. His emissaries, therefore, received orders to deny, that he had ever made any such confession as that which was imputed to him; and the party exclaimed, that the whole was an imposture of the court. The king, provoked at this conduct, banished Monmouth his presence, and afterwards ordered him to depart the kingdom.

The court was aware, that the malcontents in England had held a correspondence with those of Scotland, and that Bailie of Jerviswood, a man of merit and learning, with two gentlemen of the name of Campbell, had come to London, under pretence of negotiating the settlement of the Scottish presbyterians in Carolina, but really with a view of concerting measures with the English conspirators. Bailie was sent prisoner to Edinburgh, but as no evidence appeared against him, the council required him to swear, that he would answer all questions which should be propounded to him. He refused to submit to so iniquitous a condition, and a fine of 6,000*l.* was imposed upon him. At length, two persons, Spence and Carstares, being put to the torture, gave evidence which involved the Earl of Tarras and some others, who, in order to save themselves, were reduced to accuse Bailie. He was brought to trial; and being in so languishing a condition from the treatment which he had met with in prison, that it was

feared he would not survive that night, he was ordered to be executed the very afternoon on which he received sentence.

The severities, exercised during this part of the present reign, were much contrary to the usual tenor of the king's conduct; and though those who studied his character more narrowly, have pronounced, that towards great offences he was rigid and inexorable, the nation were more inclined to ascribe every unjust or hard measure to the prevalence of the duke, into whose hands the king had, from indolence, not from any opinion of his brother's superior capacity, resigned the reins of government. The crown indeed gained great advantage from the detection of the conspiracy, and lost none by the rigorous execution of the conspirators the horror entertained against the assassination-plot, which was generally confounded with the project for an insurrection, rendered the whole party unpopular, and reconciled the nation to the measures of the court. The most loyal addresses came from all parts; and the doctrine of submission to the civil magistrate, and even of an unlimited passive obedience, became the reigning principle of the times. The university of Oxford passed a solemn decree, condemning some doctrines, which they termed republican, but which indeed are, most of them, the only tenets on which liberty and a limited constitution can be founded. The faction of the exclusionists, lately so numerous, powerful, and zealous, were at the king's feet, and were as much fallen in their spirit as in their credit with the nation. Nothing that had the least appearance of opposition to the court, could be hearkened to by the public¹

The king endeavoured (A.D. 1684) to increase his present popularity by every art, and knowing, that the suspicion of popery was of all others the most dangerous, he judged it proper to marry his niece, the Lady Anne, to Prince George, brother to the king of Denmark. All the credit, however, and persuasion of Halifax, could not engage him to call a parliament, or trust the nation with the election of a new representative. Though his revenues were extremely burthened, he rather chose to struggle with the present difficulties, than try an experiment, which, by raising afresh so many malignant humours, might prove dangerous to his repose. The duke likewise zealously opposed this proposal, and even engaged the king in measures, which could have no tendency, but to render any accommodation with a parliament altogether impracticable. Williams, who had been speaker during the two last parliaments, was prosecuted for warrants, issued by him, in obedience to orders of the house a breach of privilege, which, it seemed not likely, any future house of commons would leave unquestioned. Danby and the popish lords, who had so long been confined in the Tower, and who saw no prospect of a trial in parliament, applied by petition, and were admitted to bail a measure just in itself, but deemed a great encroachment on the privileges of that assembly. The duke, contrary to law, was restored to the office of high admiral, without taking the test.

¹ In Nov. 1684, died Prince Rupert, æt. 63. He had left his own country so early, that he had become an entire Englishman, and was even suspected, in his latter days, of a bias to the country party. He was for that reason much neglected at court. The Duke of Lauderdale died also this year.

Had the least grain of jealousy or emulation been mixed in the king's character, had he been actuated by that concern for his people's or even for his own honour, which his high station demanded, he would have hazarded many domestic inconveniences rather than allow France to domineer in so haughty a manner as that which at present she assumed in every negotiation. The peace of Nimeguen, imposed by the Dutch on their unwilling allies, had disjoined the whole confederacy, and all the powers engaged in it had disbanded their supernumerary troops, which they found it difficult to subsist. Lewis alone still maintained a powerful army, and by his preparations rendered himself every day more formidable. He now acted as if he were the sole sovereign in Europe, and as if all other princes were soon to become his vassals. Courts or chambers were erected in Metz and Brisac, for re-uniting such territories as had ever been members of any part of his new conquests. They made enquiry into titles buried in the most remote antiquity. They cited the neighbouring princes to appear before them, and issued decrees, expelling them the contested territories. The important town of Stiasbourg, an ancient and a free state, was seized by Lewis. Alost was demanded of the Spaniards, on a frivolous, and even ridiculous pretence, and upon their refusal to yield it, Luxembourg was blockaded, and soon after taken.¹ Genoa had been bombarded, because the Genoese had stipulated to build some gallees for the Spaniards; and, in order to avoid more severe treatment, that republic was obliged to yield to the most mortifying conditions. The empire was insulted in its head and principal members, and used no other expedient for redress, than impotent complaints and remonstrances.

Spain was so enraged at the insolent treatment which she met with, that, without considering her present weak condition, she declared war against her haughty enemy. She hoped that the other powers of Europe, sensible of the common danger, would fly to her assistance. The Prince of Orange, whose ruling passions were love of war and animosity against France, seconded everywhere the applications of the Spaniards. In the year 1681, he made a journey to England, in order to engage the king into closer measures with the confederates. He also proposed to the States to make an augmentation of their forces; but several of the provinces, and even the town of Amsterdam, had been gained by the French, and the proposal was rejected. The prince's enemies derived the most plausible reasons of their opposition from the situation of England, and the known and avowed attachments of the English monarch.

No sooner had Charles dismissed his parliament, and embraced the resolution of governing by prerogative alone, than he dropped his new alliance with Spain, and returned to his former dangerous connections with Lewis. This prince had even offered to make him arbiter of his differences with Spain; and the latter power, sensible of Charles's partiality, had refused to submit to such a disadvantageous proposal. Whether any money was now remitted to England, we do not certainly know. but we may fairly presume, that the king's necessities were in

¹ The king received from France a million of livres for his connivance at the seizure of Luxembourg, beside his ordinary pension (*Dalrymple's Appendix*)

some degree relieved by France¹. And though Charles had reason to apprehend the utmost danger from the great, and still increasing, naval power of that kingdom, joined to the weak condition of the English fleet, no consideration was able to rouse him from his present lethargy.

It is here we are to fix the point of the highest exaltation, which the power of Lewis or that of any European prince, since the age of Charlemagne, had ever attained. The monarch, most capable of opposing his progress, was entirely engaged in his interests, and the Turks, invited by the malcontents of Hungary, were preparing to invade the emperor, and to disable that prince from making head against the progress of the French power. Lewis may even be accused of oversight, in not taking sufficient advantage of such favourable opportunities, which he was never afterwards able to recall. But that monarch, though more governed by motives of ambition than by those of justice or moderation, was still more actuated by the suggestions of vanity. He contented himself with insulting and domineering over all the princes and free states of Europe, and he thereby provoked their resentment without subduing their power. While every one, who approached his person, and behaved with submission to his authority, was treated with the highest politeness, all the neighbouring potentates had successively felt the effects of his haughty imperious disposition. And by indulging his poets, orators, and courtiers in their flatteries, and in their prognostications of universal empire, he conveyed faster, than by the prospect of his power alone, the apprehension of general conquest and subjection.

The French greatness never, during his whole reign, inspired Charles with any apprehensions, and Clifford, it is said, one of his most favoured ministers, went so far as to affirm, that it were better for the king to be viceroy under a great and generous monarch, than a slave to five hundred of his own insolent subjects. The ambition, therefore, and uncontrolled power of Lewis were no diminution of Charles's happiness, and in other respects his condition seemed at present (1685) more eligible than it had ever been since his restoration. A mighty faction, which had shaken his throne, and menaced his family, was totally subdued, and by their precipitate indiscretion had exposed themselves both to the rigour of the laws and to public hatred. He had recovered his former popularity in the nation; and what probably pleased him more than having a compliant parliament, he was enabled to govern altogether without one. But it is certain,

¹ The following passage is an extract from M. Barillon's letters, kept in the 'Depot des Affaires étrangères' at Versailles. It was lately communicated to the author while in France. Convention verbale arrêtée le 1^{er} Avril 1681. 'Charles II s'engage à ne rien omettre pour pouvoir faire connoître à sa majesté qu'elle avoit raison de prendre confiance en lui, & se dégager peu à peu de l'alliance avec l'Espagne, & se mettre en état de ne point être contraint par son parlement de faire quelque chose d'opposé aux nouveaux engagements qu'il prenoit. En conséquence, le roi promet un subside de deux millions la première des trois années de cet engagement & 500 000 Écus les deux autres, se contentant de la parole de sa majesté Britannique, d'agir à l'égard de sa majesté conformément aux obligations qu'il lui avoit. Le Sr Hyde demanda que le roi s'engageât à ne point attaquer les pays bas & même Strasbourg, témoignent que le roi son maître ne pourroit s'empêcher de secourir les pays bas, quand même son parlement ne seroit point assemblé.' M. Barillon lui répondit en termes généraux par ordre du roi, que sa majesté n'avoit point intention de rompre la paix, & qu'il n'engageroit pas sa majesté Britannique en choses contraires à ses véritables intérêts.

that the king, amidst all these promising circumstances, was not happy or satisfied. Whether he found himself exposed to difficulties for want of money, or dreaded a recoil of the popular humour from the present arbitrary measures, is uncertain. Perhaps the violent, imprudent temper of the duke, by pushing Charles upon dangerous attempts, gave him apprehension and uneasiness. He was overheard one day to say, in opposing some of the duke's hasty counsels, 'Brother, I am too old to go again to my travels. you may, if you choose it' Whatever was the cause of the king's dissatisfaction, it seems probable, that he was meditating some change of measures, and had formed a new plan of administration. He was determined, it is thought, to send the duke to Scotland, to recall Monmouth, to summon a parliament, to dismiss all his unpopular ministers, and to throw himself entirely on the good will and affections of his subjects.¹ Amidst these truly wise and virtuous designs, he was seized with a sudden fit, which resembled an apoplexy, and though he was recovered from it by bleeding, he languished only for a few days, and then (Feb 6) expired, in the fifty-fifth year of his age, and twenty-fifth of his reign. He was so happy in a good constitution of body, and had ever been so remarkably careful of his health, that his death struck as great a surprise into his subjects, as if he had been in the flower of his youth. And their great concern for him, owing to their affection for his person, as well as their dread of his successor, very naturally, when joined to the critical time of his death, begat the suspicion of poison. All circumstances however considered, this suspicion must be allowed to vanish; like many others, of which all histories are full.

During the few days of the king's illness, clergymen of the Church of England attended him, but he discovered a total indifference towards their devotions and exhortation. Catholic priests were brought, and he received the sacrament from them, accompanied with the other rites of the Romish church. Two papers were found in his cabinet, written with his own hand, and containing arguments in favour of that communion. The duke had the imprudence immediately to publish these papers, and thereby both confirmed all the reproaches of those who had been the greatest enemies to his brother's measures, and afforded to the world a specimen of his own bigotry.

If we survey the character of Charles II in the different lights, which it will admit of, it will appear various, and give rise to different and even opposite sentiments. When considered as a companion, he appears the most amiable and engaging of men, and indeed, in this view, his deportment must be allowed altogether unexceptionable. His love of raillery was so tempered with good breeding, that it was never offensive. His propensity to satire was so checked with discretion, that his friends never dreaded their becoming the object of it. His wit, to use the expression of one who knew him well, and who was himself a good judge (Marquess of Halifax), could not be said so much to be very refined or elevated, qualities apt to beget jealousy and apprehension in company, as to be a plain, gaining, well-bred, recommending kind of wit. And though perhaps he talked more than strict

¹ K. James's Mem. confirm this rumour, as also D'Avaux's Negotiat., 14 Dec. 1684.

rules of behaviour might permit, men were so pleased with the affable, communicative deportment of the monarch, that they always went away contented both with him and with themselves. This indeed is the most shining part of the king's character; and he seems to have been sensible of it: for he was fond of dropping the formality of state, and of relapsing every moment into the companion.

In the duties of private life his conduct, though not free from exception, was, in the main, laudable. He was an easy, generous lover, a civil obliging husband, a friendly brother, an indulgent father, and a good-natured master (Duke of Buckingham). The voluntary friendships, however, which this prince contracted, nay, even his sense of gratitude, were feeble, and he never attached himself to any of his ministers or courtiers with a sincere affection. He believed them to have no motive in serving him but self-interest, and he was still ready, in his turn, to sacrifice them to present ease or convenience.

With a detail of his private character we must set bounds to our panegyric on Charles. The other parts of his conduct may admit of some apology, but can deserve small applause. He was indeed so much fitted for private life, preferably to public, that he even possessed order, frugality, and economy in the former: was profuse, thoughtless, and negligent in the latter. When we consider him as a sovereign, his character, though not altogether destitute of virtue, was in the main dangerous to his people, and dishonourable to himself. Negligent of the interests of the nation, careless of its glory, avise to its religion, jealous of its liberty, lavish of its treasure, sparing only of its blood; he exposed it by his measures, though he ever appeared but in sport, to the danger of a furious civil war, and even to the ruin and ignominy of a foreign conquest. Yet may all these enormities, if fairly and candidly examined, be imputed, in a great measure, to the indolence of his temper. a fault, which, however unfortunate in a monarch, it is impossible for us to regard with great severity.

It has been remarked of Charles, that he never said a foolish thing nor ever did a wise one. a censure, which, though too far carried, seems to have some foundation in his character and deportment. When the king was informed of this saying, he observed, that the matter was easily accounted for: for that his discourse was his own, his actions were the ministry's.

If we reflect on the appetite for power inherent in human nature, and add to it the king's education in foreign countries, and among the cavaliers, a party which would naturally exaggerate the late usurpations of popular assemblies upon the rights of monarchy, it is not surprising, that civil liberty should not find in him a very zealous patron. Harassed with domestic faction, weary of calumnies and complaints, oppressed with debts, straitened in his revenue, he sought, though with feeble efforts, for a form of government, more simple in its structure and more easy in its management. But his attachment to France, after all the pains, which we have taken, by enquiry and conjecture, to fathom it, contains still something, it must be confessed, mysterious and inexplicable. The hopes of rendering himself absolute by Lewis's assistance seemed so chimerical, that they could scarcely be retained with such obstinacy by a prince of Charles's penetration: and as to

pecuniary subsidies, he surely spent much greater sums in one season, during the second Dutch war, than were remitted him from France during the whole course of his reign. I am apt therefore to imagine, that Charles was in this particular guided chiefly by inclination, and by a prepossession in favour of the French nation. He considered that people as gay, sprightly, polite, elegant, courteous, devoted to their prince, and attached to the catholic faith, and for these reasons he cordially loved them. The opposite character of the Dutch had rendered them the objects of his aversion, and even the uncourtly humours of the English made him very indifferent towards them. Our notions of interest are much warped by our affections; and it is not altogether without example, that a man may be guided by national prejudices, who has ever been little biassed by private and personal friendship.

The character of this prince has been elaborately drawn by two great masters, perfectly well acquainted with him, the Duke of Buckingham and the Marquess of Halifax, not to mention several elegant strokes given by Sir William Temple. Dr Welwood likewise and Bishop Burnet have employed their pencil on the same subject but the former is somewhat partial in his favour, as the latter is by far too harsh and malignant. Instead of finding an exact parallel between Charles II and the emperor Tiberius, as asserted by that prelate, it would be more just to remark a full contrast and opposition. The emperor seems as much to have surpassed the king in abilities, as he falls short of him in virtue. Provident, wise, active, jealous, malignant, dark, sullen, unsociable, reserved, cruel, unrelenting, unforgiving; these are the lights under which the Roman tyrant has been transmitted to us. And the only circumstance, in which, it can justly be pretended, he was similar to Charles, is his love of women, a passion which is too general to form any striking resemblance, and which that detestable and detested monster shared also with unnatural appetites.

JAMES II

CHAPTER LXX.

The king's first transactions—A parliament—Arguments for and against a revenue for life—Oates convicted of perjury—Monmouth's invasion—His defeat—and execution—Cruelties of Kirke—and of Jeffries—State of affairs in Scotland—Argyle's invasion—defeat—and execution—A parliament—French persecutions—The dispensing power—State of Ireland—Breach betwixt the king and the church—Court of ecclesiastical commission—Sentence against the Bishop of London—Suspension of the penal laws—State of Ireland—Embassy to Rome—Attempt upon Magdalen College—Imprisonment—trial, and acquittal of the Bishops—Birth of the Prince of Wales.

THE first act of James's reign was to assemble the privy council; where, after some praises bestowed on the memory of his predecessor,

he made professions of his resolution to maintain the established government, both in church and state. Though he had been reported, he said, to have imbibed arbitrary principles, he knew that the laws of England were sufficient to make him as great a monarch as he could wish; and he was determined never to depart from them. And as he had ventured his life in defence of the nation, he would still go as far as any man in maintaining all its just rights and liberties.

This discourse was received with great applause, not only by the council, but by the nation. The king universally passed for a man of great sincerity and great honour; and as the current of favour ran at that time for the court, men believed, that his intentions were conformable to his expressions. 'We have now,' it was said, 'the word of a king; and a word never yet broken.' Addresses came from all quarters, full of duty, nay, of the most servile adulation. Every one hastened to pay court to the new monarch¹ and James had reason to think, that, notwithstanding the violent efforts made by so potent a party for his exclusion, no throne in Europe was better established than that of England.

The king, however, in the first exercise of his authority, showed, that either he was not sincere in his professions of attachment to the laws, or that he had entertained so lofty an idea of his own legal power, that even his utmost sincerity would tend very little to secure the liberties of the people. All the customs and the greater part of the excise had been settled by parliament on the late king during life, and consequently the grant was now expired, nor had the successor any right to levy these branches of revenue. But James issued a proclamation, ordering the customs and excise to be paid as before, and this exertion of power he would not deign to qualify by the least act or even appearance of condescension. It was proposed to him, that, in order to prevent the ill effects of any intermission in levying these duties, entics should be made, and bonds for the sums be taken from the merchants and brewers: but the payment be suspended till the parliament should give authority to receive it. This precaution was recommended as an expression of deference to that assembly, or rather to the laws: but for that very reason, probably, it was rejected by the king, who thought, that the commons would thence be invited to assume more authority, and would regard the whole revenue, and consequently the whole power, of the crown, as dependent on their good will and pleasure.

The king likewise went openly, and with all the ensigns of his dignity, to mass, an illegal meeting; and by this imprudence he displayed at once his arbitrary disposition, and the bigotry of his principles: these two great characteristics of his reign, and bane of his administration. He even sent Caryl, as his agent, to Rome, in order to make submissions to the pope, and to pave the way for a solemn re-admission of England into the bosom of the catholic church. The

¹ The quakers' address was esteemed somewhat singular for its plainness and simplicity. It was conceived in these terms: 'We are come to testify our sorrow for the death of our good friend Charles, and our joy for thy being made our governor. We are told thou art not of the persuasion of the Church of England, no more than we: wherefore we hope that thou wilt grant us the same liberty which thou allowest thyself. Which doing, we wish thee all manner of happiness.'

pope, Innocent XI., prudently advised the king not to be too precipitate in his measures, nor rashly attempt what repeated experience might convince him was impracticable. The Spanish ambassador, Ronquillo, deeming the tranquillity of England necessary for the support of Spain, used the freedom to make like remonstrances. He observed to the king, how busy the priests appeared at court, and advised him not to assent with too great facility to their dangerous counsels. 'Is it not the custom in Spain,' said James, 'for the king to consult with his confessor?' 'Yes,' replied the ambassador, 'and it is for that very reason our affairs succeed so ill.'

James gave hopes on his accession, that he would hold the balance of power more steadily than his predecessor, and that France, instead of rendering England subservient to her ambitious projects, would now meet with strong opposition from that kingdom. Besides applying himself to business with industry, he seemed jealous of national honour, and expressed great care, that no more respect should be paid to the French ambassador at London than his own received at Paris. But these appearances were not sufficiently supported, and he found himself immediately under the necessity of falling into a union with that great monarch, who, by his power as well as his zeal, seemed alone able to assist him in the projects formed for promoting the catholic religion in England.

Notwithstanding the king's prejudices, all the chief offices of the crown continued still in the hands of protestants. Rochester was treasurer, his brother Clarendon chamberlain, Godolphin chamberlain to the queen; Sunderland secretary of state; Halifax president of the council. This nobleman had stood in opposition to James during the last years of his brother's reign; and when he attempted, on the accession, to make some apology for his late measures, the king told him, that he would forget every thing past, except his behaviour during the bill of exclusion. On other occasions, however, James appeared not of so forgiving a temper. When the principal exclusionists came to pay their respects to the new sovereign, they either were not admitted, or were received very coldly, sometimes even with frowns. This conduct might suit the character, which the king so much affected, of sincerity, but by showing, that a king of England could resent the quarrels of a Duke of York, he gave his people no high idea either of his lenity or magnanimity.

On all occasions, the king was open in declaring, that men must now look for a more active and more vigilant government, and that he would retain no ministers, who did not practise an unreserved obedience to his commands. We are not indeed to look for the springs of his administration so much in his council and chief officers of state, as in his own temper, and in the character of those persons with whom he secretly consulted. The queen had great influence over him; a woman of spirit, whose conduct had been popular till she arrived at that high dignity. She was much governed by the priests, especially the jesuits, and as these were also the king's favourites, all public measures were taken originally from the suggestions of these men, and bore evident marks of their ignorance in government, and of the violence of their religious zeal.

The king however had another attachment, seemingly not very consistent with this devoted regard to his queen and to his priests: it was to Mrs. Sedley, whom he soon after created Countess of Dorchester, and who expected to govern him with the same authority which the Duchess of Portsmouth had possessed during the former reign. But James, who had entertained the ambition of converting his people, was told, that the regularity of his life ought to correspond to the sanctity of his intentions, and he was prevailed with to remove Mrs Sedley from court a resolution in which he had not the courage to persevere. Good agreement between the mistress and the confessor of princes is not commonly a difficult matter to compass. but in the present case these two potent engines of command were found very incompatible. Mrs Sedley, who possessed all the wit and ingenuity of her father, Sir Charles, made the priests and their counsels the perpetual object of her raillery; and it is not to be doubted, but they, on their part, redoubled their exhortations with their penitent to break off so criminal an attachment.

How little inclination soever the king, as well as his queen and priests, might bear to an English parliament, it was absolutely necessary, at the beginning of the reign, to summon that assembly. The low condition, to which the whigs or country party had fallen during the last years of Charles's reign, the odium under which they laboured on account of the Rye-house conspiracy, these causes made that party meet with little success in the elections. The general resignation too of the charters had made the corporations extremely dependent; and the recommendations of the court, though little assisted, at that time, by pecuniary influence, were become very prevalent. The new house of commons, therefore, consisted almost entirely of zealous Tories and churchmen; and were of consequence strongly biassed, by their affections, in favour of the measures of the crown.

The discourse which the king made (May 10) to the parliament, was more fitted to work on their fears than their affections. He repeated indeed, and with great solemnity, the promise which he had made before the privy-council, of governing according to the laws, and of preserving the established religion. but at the same time he told them, that he positively expected they would settle his revenue, and during life too, as in the time of his brother. 'I might use many arguments,' said he, 'to enforce this demand, the benefit of trade, the support of the navy, the necessities of the crown, and the well-being of the government itself, which I must not suffer to be precarious. but I am confident, that your own consideration and your sense of what is just and reasonable, will suggest to you whatever on this occasion might be enlarged upon. There is indeed one popular argument,' added he, 'which may be urged against compliance with my demand. men may think, that by feeding me from time to time with such supplies as they think convenient, they will better secure frequent meetings of parliament. but as this is the first time I speak to you from the throne, I must plainly tell you, that such an expedient would be very improper to employ with me, and that the best way to engage me to meet you often, is always to use me well.'

It was easy to interpret this language of the king's. He plainly

intimated, that he had resources in his prerogative for supporting the government, independent of their supplies; and that so long as they complied with his demands, he would have recourse to them, but that any ill usage on their part would set him free from those measures of government, which he seemed to regard more as voluntary than as necessary. It must be confessed, that no parliament in England was ever placed in a more critical situation, nor where more forcible arguments could be urged, either for their opposition to the court, or their compliance with it.

It was said on the one hand, that jealousy of royal power was the very basis of the English constitution, and the principle to which the nation was beholden for all that liberty which they enjoy above the subjects of other monarchies. That this jealousy, though, at different periods, it may be more or less intense, can never safely be laid asleep, even under the best and wisest princes. That the character of the present sovereign afforded cause for the highest vigilance, by reason of the arbitrary principles which he had imbibed, and still more, by reason of his religious zeal, which it is impossible for him ever to gratify, without assuming more authority than the constitution allows him. That power is to be watched in its very first encroachments, nor is any thing ever gained by timidity and submission. That every concession adds new force to usurpation, and at the same time, by discovering the dastardly dispositions of the people, inspires it with new courage and enterprise. That as arms were intrusted altogether in the hands of the prince, no check remained upon him but the dependent condition of his revenue, a security therefore which it would be the most egregious folly to abandon. That all the other barriers, which, of late years, had been erected against arbitrary power, would be found, without this capital article, to be rather pernicious and destructive. That new limitations in the constitution stimulated the monarch's inclination to surmount the laws, and required frequent meetings of parliament, in order to repair all the breaches, which either time or violence may have made upon that complicated fabric. That recent experience during the reign of the late king, a prince who wanted neither prudence nor moderation, had sufficiently proved the solidity of all these maxims. That his parliament, having rashly fixed his revenue for life, and at the same time repealed the triennial bill, found that they themselves were no longer of importance, and that liberty, not protected by national assemblies, was exposed to every outrage and violation. And that the more openly the king made an unreasonable demand, the more obstinately ought it to be refused, since it is evident, that his purpose in making it cannot possibly be justifiable.

On the other hand it was urged, that the rule of watching the very first encroachments of power could only have place, where the opposition to it could be regular, peaceful, and legal. That though the refusal of the king's present demand might seem of this nature, yet in reality it involved consequences, which led much farther than at first might be apprehended. That the king in his speech had intimated, that he had resources in his prerogative, which, in case of opposition from parliament, he thought himself fully entitled to employ. That if

the parliament openly discovered an intention of reducing him to dependence, matters must presently be brought to a crisis, at a time the most favourable to his cause, which his most sanguine wishes could ever have promised him. That if we cast our eyes abroad, to the state of affairs on the continent, and to the situation of Scotland and Ireland; or, what is of more importance, if we consider the disposition of men's minds at home, every circumstance would be found adverse to the cause of liberty. That the country party, during the late reign, by their violent, and in many respects unjustifiable measures in parliament, by their desperate attempts out of parliament, had exposed their principles to general hatred, and had excited extreme jealousy in all the royalists and zealous churchmen, who now formed the bulk of the nation. That it would not be acceptable to that party to see this king worse treated than his brother in point of revenue, or any attempts made to keep the crown in dependence. That they thought parliaments as liable to abuse as courts, and desired not to see things in a situation, where the king could not, if he found it necessary, either prorogue or dissolve those assemblies. That if the present parliament, by making great concessions, could gain the king's confidence, and engage him to observe the promises now given them, every thing would by gentle methods succeed to their wishes. That if, on the contrary, after such instances of compliance, he formed any designs on the liberty and religion of the nation, he would, in the eyes of all mankind, render himself altogether inexcusable, and the whole people would join in opposition to him. That resistance could scarcely be attempted twice, and there was therefore the greater necessity for waiting till time and incidents had fully prepared the nation for it. That the king's prejudices in favour of popery, though in the main pernicious, were yet so far fortunate, that they rendered the connexion inseparable between the national religion and national liberty. And that if any illegal attempts were afterwards made, the church, which was at present the chief support of the crown, would surely catch the alarm, and soon dispose the people to an effectual resistance.

These last reasons, enforced by the prejudices of party, prevailed in parliament, and the commons, besides giving thanks for the king's speech, voted unanimously, that they would settle on his present majesty during life, all the revenue enjoyed by the late king at the time of his demise. That they might not detract from this generosity by any symptoms of distrust, they also voted unanimously, that the house entirely relied on his majesty's royal word and repeated declarations to support the religion of the church of England, but they added, that that religion was dearer to them than their lives. The speaker, in presenting the revenue bill, took care to inform the king of their vote with regard to religion; but could not, by so signal a proof of confidence, extort from him one word in favour of that religion on which, he told his majesty, they set so high a value. Notwithstanding the grounds of suspicion, which this silence afforded, the house continued in the same liberal disposition. The king having demanded a further supply for the navy and other purposes, they revived those duties on wines and vinegar which had once been enjoyed by the late king; and

they added some impositions on tobacco and sugar. This grant amounted on the whole to about 600,000*l* a year.

The house of lords were in a humour no less compliant. They even went some lengths towards breaking in pieces all the remains of the popish plot, that once formidable engine of bigotry and faction.

A little before the meeting of parliament, Oates had been tried for perjury on two indictments. One for deposing that he was present at a consult of jesuits in London, April 24, 1679 another for deposing that Father Ireland was in London between August 8 and 12, and in the beginning of September in the same year. Never criminal was convicted on fuller and more undoubted evidence. Two and twenty persons, who had been students at St Omers, most of them men of credit and family, gave evidence that Oates had entered into that seminary about Christmas in the year 1678, and had never been absent but one night, till the month of July following. Forty-seven witnesses, persons also of untainted character, deposed that Father Ireland, on August 3, 1679, had gone to Staffordshire, where he resided till the middle of September, and, what some years before would have been regarded as a very material circumstance, nine of these witnesses were protestants, of the church of England. Oates's sentence was, to be fined 1000 merks on each indictment, to be whipped on two different days from Aldgate to Newgate, and from Newgate to Tyburn, to be imprisoned during life, and to be pilloried five times every year. The impudence of the man supported itself under the conviction, and his courage under the punishment. He made solemn appeals to Heaven, and protestations of the veracity of his testimony though the whipping was so cruel, that it was evidently the intention of the court to put him to death by that punishment, he was enabled, by the care of his friends, to recover and he lived to King William's reign, when a pension of 400*l*. a year was settled on him. A considerable number still adhered to him in his distresses, and regarded him as the martyr of the protestant cause. The populace were affected with the sight of a punishment, more severe than is commonly inflicted in England. And the sentence of perpetual imprisonment was deemed an illegal one.

The conviction of Oates's perjury was taken notice of by the house of peers. Besides freeing the popish lords, Powis, Arundell, Bellasis, and Tyrone, together with Danby, from the former impeachment by the commons, they went so far as to vote a reversal of Stafford's attainder, on account of the falsehood of that evidence on which he had been condemned. This bill fixed so deep a reproach on the former proceedings of the exclusionists, that it met with great opposition among the lords; and it was at last, after one reading, dropped by the commons. Though the reparation of injustice be the second honour which a nation can attain, the present emergence seemed very improper for granting so full a justification to the catholics, and throwing so foul a stain on the protestants.

The course of parliamentary proceedings was interrupted by the news of Monmouth's arrival in the west with three ships from Holland. No sooner was this intelligence conveyed to the parliament, than they voted, that they would adhere to his majesty with their lives and for-

tunes. They passed a bill of attainder against Monmouth; and they granted a supply of 400,000*l.* for suppressing his rebellion. Having thus strengthened the hands of the king, they adjourned.

Monmouth, when ordered to depart the kingdom, during the late reign, had retired to Holland, and as it was well known that he still enjoyed the favour of his indulgent father, all marks of honour and distinction were bestowed upon him by the Prince of Orange. After the accession of James, the prince thought it necessary to dismiss Monmouth and all his followers, and that illustrious fugitive retired to Brussels. Finding himself still pursued by the king's severity, he was pushed, contrary to his judgment as well as inclination, to make a rash and premature attempt upon England. He saw that James had lately mounted the throne, not only without opposition, but seemingly with the good-will and affections of his subjects. A parliament was sitting, which discovered the greatest disposition to comply with the king, and whose adherence, he knew, would give a sanction and authority to all public measures. The grievances of this reign were hitherto of small importance, and the people were not as yet in a disposition to remark them with great severity. All these considerations occurred to Monmouth; but such was the impatience of his followers, and such the precipitate humour of Argyle, who set out for Scotland a little before him, that no reasons could be attended to, and this unhappy man was driven upon his fate.

The imprudence, however, of this enterprise did not at first appear. Though on his landing (June 11) at Lyme in Dorsetshire, he had scarcely 100 followers, so popular was his name, that in four days he had assembled above 2000 horse and foot. They were, indeed, almost all of them, the lowest of the people; and the declaration, which he published, was chiefly calculated to suit the prejudices of the vulgar, or the most bigoted of the whig party. He called the king Duke of York, and denominated him a traitor, a tyrant, an assassin, and a popish usurper. He imputed to him the fire of London, the murder of Godfrey and of Essex, nay the poisoning of the late king; and invited all the people to join in opposition to his tyranny.

The Duke of Albemarle, son to him who had restored the royal family, assembled the militia of Devonshire to the number of 4000 men, and took post at Axminster, in order to oppose the rebels, but observing that his troops bore a great affection to Monmouth, he thought proper to retire. Monmouth, though he had formerly given many proofs of personal courage, had not the vigour of mind requisite for an undertaking of this nature. From an ill-grounded diffidence of his men, he neglected to attack Albemarle; an easy enterprise, by which he might both have acquired credit, and have supplied himself with arms. Lord Grey, who commanded his horse, discovered himself to be a notorious coward, yet such was the softness of Monmouth's nature, that Grey was still continued in his command. Fletcher of Saltoun, a Scotchman, a man of signal probity and fine genius, had been engaged by his republican principles in this enterprise, and commanded the cavalry together with Grey. but being insulted by one who had newly joined the army, and whose horse he had in a hurry made use of, he was prompted by passion, to which he was much sub-

ject, to discharge a pistol at the man; and he killed him on the spot. This incident obliged him immediately to leave the camp, and the loss of so gallant an officer was a great prejudice to Monmouth's enterprise.

The next station of the rebels was Taunton, a disaffected town, which gladly and even fondly received them, and reinforced them with considerable numbers. Twenty young maids of some rank presented Monmouth with a pair of colours of their handiwork, together with a copy of the bible. Monmouth was here persuaded to take upon him the title of king, and assert the legitimacy of his birth, a claim which he advanced in his first declaration, but whose discussion he was determined, he then said, during some time to postpone. His numbers had now increased to 6000, and he was obliged every day, for want of arms, to dismiss a great many who crowded to his standard. He entered Bridgwater, Wells, Frome, and was proclaimed in all these places; but forgetting that such desperate enterprises can only be rendered successful by the most adventurous courage, he allowed the expectations of the people to languish, without attempting any considerable undertaking.

While Monmouth, by his imprudent and misplaced* caution, was thus wasting time in the west, the king employed himself in making preparations to oppose him. Six regiments of British troops were called over from Holland: the army was considerably augmented: and regular forces, to the number of 3,000 men, were dispatched under the command of Faversham and Churchill, in order to check the progress of the rebels.

Monmouth, observing that no considerable men joined him, finding that an insurrection, which was projected in the city, had not taken place, and hearing that Aigyle, his confederate, was already defeated and taken; sunk into such despondency, that he had once resolved to withdraw himself, and leave his unhappy followers to their fate. His followers expressed more courage than their leader, and seemed determined to adhere to him in every fortune. The negligent disposition, made by Faversham, invited (July 5) Monmouth to attack the king's army at Sedgemoor near Bridgwater, and his men in this action showed what a native courage and a principle of duty, even when unassisted by discipline, is able to perform. They threw the veteran forces into disorder, drove them from their ground, continued the fight till their ammunition failed them, and would at last have obtained a victory, had not the misconduct of Monmouth and the cowardice of Grey prevented it. After a combat of three hours the rebels gave way, and were followed with great slaughter. About 1500 fell in the battle and pursuit. And thus was concluded in a few weeks this enterprise, rashly undertaken, and feebly conducted.

Monmouth fled from the field of battle above 20 miles till his horse sunk under him. He then changed clothes with a peasant in order to conceal himself. The peasant was discovered by the pursuers, who now redoubled the diligence of their search. At last, the unhappy Monmouth was found, lying in the bottom of a ditch, and covered with fern: his body depressed with fatigue and hunger, his mind by the memory of past misfortunes, by the prospect of future disasters.

Human nature is unequal to such calamitous situations ; much more, the temper of a man, softened by early prosperity, and accustomed to value himself solely on military bravery. He burst into tears when seized by his enemies, and he seemed still to indulge the fond hope and desire of life. Though he might have known, from the greatness of his own offences, and the severity of James's temper, that no mercy could be expected, he wrote him the most submissive letters, and conjured him to spare the issue of a brother, who had ever been so strongly attached to his interest. James, finding such symptoms of depression and despondency in the unhappy prisoner, admitted him to his presence, in hopes of extorting a discovery of his accomplices ; but Monmouth would not purchase life, however loved, at the price of so much infamy. Finding all efforts vain, he assumed courage from despair, and prepared himself for death, with a spirit better suited to his rank and character. This favourite of the people was attended (July 15) to the scaffold with a plentiful effusion of tears. He warned the executioner not to fall into the error which he had committed in beheading Russell, where it had been necessary to repeat the blow. This precaution served only to dismay the executioner. He struck a feeble blow on Monmouth, who raised his head from the block, and looked him in the face, as if reproaching him for his failure. He gently laid down his head a second time, and the executioner struck him again and again to no purpose. He then threw aside the axe, and cried out that he was incapable of finishing the bloody office. The sheriff obliged him to renew the attempt, and at two blows more the head was severed from the body.

Thus perished, in the thirty-sixth year of his age, a nobleman, who, in less turbulent times, was well qualified to be an ornament of the court, even to be serviceable to his country. The favour of his prince, the caresses of faction, and the allurements of popularity, seduced him into enterprises, which exceeded his capacity. The good-will of the people still followed him in every fortune. Even after his execution, their fond credulity flattered them with hopes of seeing him once more at their head. They believed that the person executed was not Monmouth, but one who, having the fortune to resemble him nearly, was willing to give this proof of his extreme attachment, and to suffer death in his stead.

This victory, obtained by the king in the commencement of his reign, would naturally, had it been managed with prudence, have tended much to increase his power and authority. But by reason of the cruelty with which it was prosecuted, and of the temerity with which it afterwards inspired him, it was a principal cause of his sudden ruin and downfall.

Such arbitrary principles had the court instilled into all its servants, that Fawcisham, immediately after the victory, hanged above 20 prisoners ; and was proceeding in his executions, when the Bishop of Bath and Wells warned him, that these unhappy men were now by law entitled to a trial, and that their execution would be deemed a real murder. This remonstrance, however, did not stop the savage nature of Colonel Kirke, a soldier of fortune, who had long served at Tangiers, and had contracted, from his intercourse with the Moors, an inhu-

manity less known in European and in free countries. At his first entry into Bridgewater, he hanged 19 prisoners, without the least inquiry into the merits of their cause. As if to make sport with death, he ordered a certain number to be executed, while he and his company should drink the king's health, or the queen's, or that of Chief-justice Jefferies. Observing their feet to quiver in the agonies of death, he cried that he would give them music to their dancing; and he immediately commanded the drums to beat and the trumpets to sound. By way of experiment, he ordered one man to be hung up three times, questioning him at each interval, whether he repented of his crime; but the man obstinately asserting, that, notwithstanding the past, he still would willingly engage in the same cause, Kirke ordered him to be hung in chains. One story, commonly told of him, is memorable for the treachery, as well as barbarity, which attended it. A young maid pleaded for the life of her brother, and flung herself at Kirke's feet, armed with all the charms which beauty and innocence, bathed in tears, could bestow upon her. The tyrant was inflamed with desire, not softened into love or clemency. He promised to grant her request, provided that she, in her turn, would be equally compliant to him. The maid yielded to the conditions; but, after she had passed the night with him, the wanton savage, next morning, showed her, from the window, her brother, the darling object for whom she had sacrificed her virtue, hanging on a gibbet, which he had secretly ordered to be there erected for the execution. Rage and despair and indignation took possession of her mind, and deprived her for ever of her senses. All the inhabitants of that country, innocent as well as guilty, were exposed to the ravages of this barbarian. The soldiery were let loose to live at free quarters, and his own regiment, instructed by his example, and encouraged by his exhortations, distinguished themselves in a particular manner by their outrages. By way of pleasantry he used to call them 'his lambs,' an appellation, which was long remembered with horror in the west of England.

The violent Jefferies succeeded after some interval, and showed the people that the rigours of the law might equal, if not exceed, the ravages of military tyranny. This man, who wanted in cruelty, had already given a specimen of his character in many trials, where he presided; and he now set out with a savage joy, as to a full harvest of death and destruction. He began at Dorchester, and thirty rebels being arraigned, he exhorted them, but in vain, to save him, by their free confession, the trouble of trying them; and when 29 were found guilty, he ordered them as an additional punishment of their disobedience, to be led to immediate execution. Most of the other prisoners, terrified with this example, pleaded guilty, and no less than 292 received sentence at Dorchester. Of these 80 were executed. Exeter was the next stage of his cruelty. 243 were there tried, of whom a great number were condemned and executed. He also opened his commission at Taunton and Wells, and everywhere carried consternation along with him. The juries were so struck with his menaces, that they gave their verdict with precipitation; and many innocent persons, it is said, were involved with the guilty. And on the whole, besides those who were butchered by the military commanders, 251

are computed to have fallen by the hand of justice. The whole country was strowed with the legs and limbs of traitors. Every village almost beheld the dead carcase of a wretched inhabitant. And all the rigours of justice, unabated by any appearance of clemency, were displayed to the people by the inhuman Jefferies.

Of all the executions during this dismal period, the most remarkable were those of Mrs Gaunt and Lady Lisle, who had been accused of harbouring traitors. Mrs Gaunt was an anabaptist, noted for her beneficence, which she extended to persons of all professions and persuasions. One of the rebels, knowing her humane disposition, had recourse to her in his distress, and was concealed by her. Hearing of the proclamation, which offered an indemnity and rewards to such as discovered criminals, he betrayed his benefactress, and bore evidence against her. He received a pardon as a recompence for his treachery, she was burned alive for her charity.

Lady Lisle was widow of one of the regicides who had enjoyed great favour and authority under Cromwell, and who having fled, after the restoration, to Lauzanne in Switzerland, was there assassinated, by three Irish ruffians, who hoped to make their fortune by this piece of service. His widow was now prosecuted for harbouring two rebels the day after the battle of Sedgemoor, and Jefferies pushed on the trial with an unrelenting violence. In vain did the aged prisoner plead that these criminals had been put into no proclamation, had been convicted by no verdict, nor could any man be denominated a traitor, till the sentence of some legal court was passed upon him: that it appeared not by any proof that she was so much as acquainted with the guilt of the persons, or had heard of their joining the rebellion of Monmouth. that though she might be obnoxious on account of her family, it was well known that her heart was ever loyal, and that no person in England had shed more tears for that tragical event, in which her husband had unfortunately borne too great a share. and that the same principles which she herself had ever embraced, she had carefully instilled into her son, and had, at that very time, sent him to fight against those rebels, whom she was now accused of harbouring. Though these arguments did not move Jefferies, they had influence on the jury. Twice they seemed inclined to bring in a favourable verdict: they were as often sent back with menaces and reproaches, and at last were constrained to give sentence against the prisoner. Notwithstanding all applications for pardon, the cruel sentence was executed. The king said that he had given Jefferies a promise not to pardon her: an excuse which could serve only to aggravate the blame against himself.

It might have been hoped, that, by all these bloody executions, a rebellion, so precipitate, so ill supported, and of such short duration, would have been sufficiently expiated: but nothing could satiate the spirit of rigour, which possessed the administration. Even those multitudes, who received pardon, were obliged to atone for their guilt by fines, which reduced them to beggary, or where their former poverty made them incapable of paying, they were condemned to cruel whippings or severe imprisonments. Nor could the innocent escape the hands, no less rapacious than cruel, of the chief justice. Prideaux,

a gentleman of Devonshire, being thrown into prison, and dreading the severe and arbitrary spirit, which at that time met with no control, was obliged to buy his liberty of Jefferies at the price of 15,000*l*; though he could never so much as learn the crime of which he was accused.

Goodenough, the seditious under-sheriff of London, who had been engaged in the most bloody and desperate part of the Rye-house conspiracy, was taken prisoner after the battle of Sedgemoor, and resolved to save his own life by an accusation of Cornish, the sheriff, whom he knew to be extremely obnoxious to the court. Colonel Rumsey joined him in the accusation, and the prosecution was so hastened that the prisoner was tried, condemned, and executed in the space of a week. The perjury of the witnesses appeared immediately after, and the king seemed to regret the execution of Cornish. He granted his estate to his family, and condemned the witnesses to perpetual imprisonment.

The injustice of this sentence against Cornish, was not wanted to disgust the nation with the court: the continued vigour of the other executions had already impressed an universal hatred against the ministers of justice, attended with compassion for the unhappy sufferers, who, as they had been seduced into this crime by mistaken principles, bore their punishment with the spirit and zeal of martyrs. The people might have been willing on this occasion to distinguish between the king and his ministers: but care was taken to prove, that the latter had done nothing but what was agreeable to their master. Jefferies, on his return, was immediately, for those eminent services, created a peer, and was soon after vested with the dignity of chancellor. It is pretended, however, with some appearance of authority, that the king was displeased with these cruelties, and put a stop to them as soon as proper information of them was conveyed to him (*Life of Lord North*, p. 260. *K. James's Mem.* p. 144).

We must now take a view of the state of affairs in Scotland, where the fate of Argyle had been decided before that of Monmouth. Immediately after the king's accession, a parliament had been summoned at Edinburgh, and all affairs were there conducted by the Duke of Queensberry the commissioner, and the Earl of Perth chancellor. The former had resolved to make an entire surrender of the liberties of his country, but was determined still to adhere to its religion: the latter entertained no scruple of paying court even by the sacrifice of both. But no courtier, even the most prostitute, could go farther than the parliament itself towards a resignation of their liberties. In a vote, which they called an offer of duty, after adopting the fabulous history of a hundred and eleven Scottish monarchs, they acknowledged, that all these princes, by the primary and fundamental law of the state, had been vested with a 'solid' and 'absolute' authority. They declared their abhorrence of all principles and positions, derogatory to the king's sacred, supreme, sovereign, absolute power, of which none, they said, whether single persons or collective bodies, can participate, but in dependance on him and by commission from him. They promised that the whole nation, between sixteen and sixty, shall be in readiness for his majesty's service, where and as oft as it shall

be his royal pleasure to require them. And they annexed the whole excise of inland and foreign commodities for ever to the crown.

All the other acts of this assembly savoured of the same spirit. They declared it treason for any person to refuse the test, if tendered by the council. To defend the obligation of the covenant, subjected a person to the same penalty. To be present at any conventicle, was made punishable with death and confiscation of moveables. Even such as refused to give testimony, either in cases of treason or non-conformity, were declared equally punishable as if guilty of those very crimes. an excellent prelude to all the rigours of an inquisition. It must be confessed, that nothing could equal the abject servility of the Scottish nation during this period, but the arbitrary severity of the administration.

It was in vain that Argyle summoned a people, so lost to all sense of liberty, so degraded by repeated indignities, to rise in vindication of their violated laws and privileges. Even those who declared for him, were, for the greater part, his own vassals, men, who, if possible, were still more sunk in slavery than the rest of the nation. He arrived, after a prosperous voyage, in Argyleshire, attended by some fugitives from Holland, among the rest, by Sir Patrick Hume, a man of mild dispositions, who had been driven to this extremity by a continued train of oppression. The privy council was beforehand apprized of Argyle's intentions. The whole militia of the kingdom, to the number of 22,000 men, were already in arms, and a third part of them, with the regular forces, were on their march to oppose him. All the considerable gentry of his clan were thrown into prison. And two ships of war were on the coast to watch his motions. Under all these discouragements he yet made a shift, partly from terror, partly from affection, to collect and arm a body of about 2500 men, but soon found himself surrounded on all sides with insuperable difficulties. His arms and ammunition were seized; his provisions cut off; the Marquess of Athole pressed him on one side, Lord Charles Murray on another, the Duke of Gordon hung upon his rear, the Earl of Dumbarton in front. His followers daily fell off from him, but Argyle, resolute to persevere, broke at last with the shattered remains of his troops into the disaffected part of the Low Countries, which he had endeavoured to allure to him by declarations for the covenant. No one showed either courage or inclination to join him, and his small and still decaying army, after wandering about for a little time, was at last defeated and dissipated without an enemy. Argyle himself was seized near Renfrew and carried to Edinburgh, where, after enduring many indignities with a gallant spirit, he was publicly executed. He suffered on the former unjust sentence, which had been passed upon him. The rest of his followers either escaped or were punished by transportation. Rumbold and Ayloff, two Englishmen, who had attended Argyle on this expedition, were executed.

The king was so elated with this continued tide of prosperity, that he began to undervalue even an English parliament, at all times formidable to his family; and from his speech to that assembly, which (Nov. 9) he had assembled, he seems to have thought himself exempted from all rules of prudence, or necessity of dissimulation. He plainly

told the two houses, that the militia, which had formerly been so much magnified, was now found, by experience in the last rebellion, to be altogether useless, and he required a new supply, in order to maintain those additional forces which he had levied. He also took notice, that he had employed a great many catholic officers, and that he had, in their favour, dispensed with the law, requiring the test to be taken by every one that possessed any public office. And to cut short all opposition, he declared, that, having reaped the benefit of their service during such times of danger, he was determined, neither to expose them afterwards to disgrace, nor himself, in case of another rebellion, to the want of their assistance.

Such violent aversion did this parliament bear to opposition, so great dread had been instilled of the consequences attending any breach with the king, that it is probable, had he used his dispensing power without declaring it, no inquiries would have been made, and time might have reconciled the nation to this dangerous exercise of prerogative. But to invade at once their constitution, to threaten their religion, to establish a standing army, and even to require them, by their concurrence, to contribute towards all these measures, exceeded the bounds of their patience, and they began, for the first time, to display some small remains of English spirit and generosity. When the king's speech was taken into consideration by the commons, many severe reflections were thrown out against the present measures; and the house was with seeming difficulty engaged to promise in a general vote, that they would grant some supply. But instead of finishing that business, which could alone render them acceptable to the king, they proceeded to examine the dispensing power, and they voted an address to the king against it. Before this address was presented, they resumed the consideration of the supply, and as 1,200,000*l* were demanded by the court, and 200,000*l* proposed by the country-party, a middle course was chosen, and 700,000*l*, after some dispute, were at last voted. The address against the dispensing power was expressed in most respectful and submissive terms, yet was it very ill received by the king, and his answer contained a flat denial, uttered with great warmth and vehemence. The commons were so daunted with this reply, that they kept silence a long time, and when Coke, member for Derby, rose up and said, 'I hope we are all Englishmen, and not to be frightened with a few hard words,' so little spirit appeared in that assembly, often so refractory and mutinous, that they sent him to the Tower for bluntly expressing a free and generous sentiment. They adjourned, without fixing a day for the consideration of his majesty's answer, and on their next meeting, they submissively proceeded to the consideration of the supply, and even went so far as to establish funds for paying the sum voted, in nine years and a half. The king, therefore, had in effect, almost without contest or violence, obtained a complete victory over the commons, and that assembly, instead of guarding their liberties, now exposed to manifest peril, conferred an additional revenue on the crown, and by rendering the king in some degree independent, contributed to increase those dangers with which they had so much reason to be alarmed.

The next opposition came from the house of peers, which has not

commonly taken the lead on these occasions ; and even from the bench of bishops, where the court usually expects the greatest complaisance and submission. The upper house had been brought, in the first days of the session, to give general thanks for the king's speech, by which compliment they were understood, according to the practice of that time, to have acquiesced in every part of it yet, notwithstanding that step, Compton, Bishop of London, in his own name and that of his brethren, moved that a day should be appointed for taking the speech into consideration ; he was seconded by Halifax, Nottingham, and Mordaunt. Jefferies, the chancellor, opposed the motion, and seemed inclined to use in that house the same arrogance to which on the bench he had so long been accustomed but he was soon taught to know his place, and he proved, by his behaviour, that insolence, when checked, naturally sinks into meanness and cowardice. The Bishop of London's motion prevailed.

The king might reasonably have presumed, that, even if the peers should so far resume courage as to make an application against his dispensing power, the same steady answer which he had given to the commons would make them relapse into the same timidity, and he might by that means have obtained a considerable supply, without making any concessions in return. But so imperious was his temper, so lofty the idea which he had entertained of his own authority, and so violent the schemes suggested by his own bigotry and that of his priests, that, without any delay, without waiting for any farther provocation, he immediately proceeded to a prorogation. He continued the parliament during a year and a half by four more prorogations, but having in vain tried, by separate applications, to break the obstinacy of the leading members, he at last dissolved that assembly. And as it was plainly impossible for him to find amongst his protestant subjects a set of men more devoted to royal authority, it was universally concluded, that he intended thenceforth to govern entirely without parliaments.

Never king mounted the throne of England with greater advantages than James ; nay, possessed greater facility, if that were any advantage, of rendering himself and his posterity absolute but all these fortunate circumstances tended only, by his misconduct, to bring more sudden ruin upon him. The nation seemed disposed of themselves to resign their liberties, had he not, at the same time, made an attempt upon their religion and he might even have succeeded in surmounting at once their liberties and religion, had he conducted his schemes with common prudence and discretion. Openly to declare to the parliament, so early in his reign, his intention to dispense with the tests, struck an universal alarm throughout the nation, infused terror into the church, which had hitherto been the chief support of monarchy ; and even disgusted the army, by whose means alone he could now purpose to govern. The former horror against popery was revived by polemical books and sermons, and in every dispute the victory seemed to be gained by the protestant divines, who were heard with more favourable ears, and who managed the controversy with more learning and eloquence. But another incident happened at this time, which tended mightily to excite the animosity of the nation against the catholic communion,

Lewis XIV having long harassed and molested the protestants, at last revoked entirely the edict of Nantes, which had been enacted by Henry IV for securing them the free exercise of their religion; which had been declared irrevocable, and which, during the experience of near a century, had been attended with no sensible inconvenience. All the iniquities inseparable from persecution were exercised against those unhappy religionists, who became obstinate in proportion to the oppressions which they suffered, and either covered under a feigned conversion a more violent abhorrence of the catholic communion, or sought among foreign nations for that liberty of which they were bereaved in their native country. Above 500,000 of the most useful and industrious subjects deserted France, and exported, together with immense sums of money, those arts and manufactures which had chiefly tended to enrich that kingdom. They propagated every where the most tragical accounts of the tyranny exercised against them, and revived among the protestants all that resentment against the bloody and persecuting spirit of popery to which so many incidents in all ages had given too much foundation. Near 50,000 refugees passed over into England, and all men were disposed, from their representations, to entertain the utmost horror against the projects which they apprehended to be formed by the king for the abolition of the protestant religion. When a prince of so much humanity and of such signal prudence as Lewis could be engaged, by the bigotry of his religion alone, without any provocation, to embrace such sanguinary and impolitic measures, what might be dreaded, they asked, from James, who was so much inferior in these virtues, and who had already been irritated by such obstinate and violent opposition? In vain did the king affect to throw the highest blame on the persecutions in France. In vain did he afford the most real protection and assistance to the distressed Huguenots. All these symptoms of toleration were regarded as insidious, opposite to the avowed principles of his sect, and belied by the severe administration which he himself had exercised against the non-conformists in Scotland.

The smallest approach towards the introduction of popery, must in the present (A.D. 1686) disposition of the people, have afforded reason of jealousy, much more so wide a step as that of dispensing with the tests, the sole security which the nation, being disappointed of the exclusion-bill, found provided against those dreaded innovations. Yet was the king resolute to persevere in his purpose, and having failed in bringing over the parliament, he made an attempt, with more success, for establishing his dispensing power, by a verdict of the judges. Sir Edward Hales, a new proselyte, had accepted a commission of colonel, and directions were given to his coachman to prosecute him for the penalty of £500, which the law, establishing the tests, had granted to informers. By this feigned action, the king hoped, both from the authority of the decision, and the reason of the thing, to put an end to all questions with regard to his dispensing power.

It could not be expected that the lawyers appointed to plead against Hales would exert great force on that occasion. But the cause was regarded with such anxiety by the public, that it has been thoroughly

canvassed in several elaborate discourses;¹ and could men divest themselves of prejudice, there want not sufficient materials on which to form a true judgment. The claim and exercise of the dispensing power is allowed to be very ancient in England, and though it seems at first to have been copied from papal usurpations, it may plainly be traced up as high as the reign of Henry III. In the feudal governments, men were more anxious to secure their private property than to share in the public administration, and provided no innovations were attempted on their rights and possessions, the care of executing the laws, and ensuring general safety, was without jealousy entrusted to the sovereign. Penal statutes were commonly intended to arm the prince with more authority for that purpose, and being in the main calculated for promoting his influence as first magistrate, there seemed no danger in allowing him to dispense with their execution, in such particular cases as might require an exception or indulgence. That practice had so much prevailed, that the parliament itself had more than once acknowledged this prerogative of the crown; particularly during the reign of Hen. V when they enacted the law against aliens (Rot. Parl. 1 Hen. V. n. xv), and also when they passed the statute of provisos.² But though the general tenor of the penal statutes was such as gave the king a superior interest in their execution beyond any of his subjects, it could not but sometimes happen in a mixed government that the parliament would desire to enact laws, by which the royal power, in some particulars, even where private property was not immediately concerned, might be regulated and restrained. In the twenty-third of Hen. VI a law of this kind was enacted, prohibiting any man from serving in a county as sheriff above a year, and a clause was inserted by which the king was disabled from granting a dispensation. Plain reason might have taught, that this law, at least, should be exempted from the king's prerogative; but as the dispensing power still prevailed in other cases, it was soon able, aided by the servility of the courts of judicature, even to overpower this statute, which the legislature had evidently intended to secure against violation. In the reign of Hen. VII the case was brought to a trial before all the judges in the exchequer-chamber, and it was decreed, that, notwithstanding the strict clause above mentioned, the king might dispense with the statute: he could first, it was alleged, dispense with the prohibitory clause, and then with the statute itself. This opinion of the judges, though seemingly absurd, had ever since passed for undoubted law: the practice of continuing the sheriffs had prevailed, and most of the property in England had been fixed by decisions, which juries, returned by such sheriffs, had given in the courts of judicature. Many other dispensations of a like nature may be produced; not only such as took place by intervals, but such as were uniformly continued. Thus the law was dispensed with which prohibited any man from going as judge of assize into his own county, that which ren-

¹ Particularly Sir Edward Herbert's 'Defence in the State Trials,' and Sir Robert Atkins's 'Enquiry concerning the Dispensing Power.'

² Rot. Parl. 1 Henry V. n. xxi. It is remarkable, however, that in the reign of Rich. II. the parliament granted the king only a temporary power of dispensing with the statute of provisos. Rot. Parl. 15 Rich. II. n. 1. A plain implication that he had not, of himself, such a prerogative. So uncertain were many of these points at that time.

dered all Welchmen incapable of bearing offices in Wales, and that which required every one, who received a pardon for felony, to find sureties for his good behaviour. In the second of Jas I a new consultation of all the judges had been held upon a like question: this prerogative of the crown was again unanimously affirmed (Coke's Reports, viith Report). And it became an established principle in English jurisprudence, that, though the king could not allow of what was morally unlawful, he could permit what was only prohibited by positive statute. Even the jealous house of commons, who extorted the petition of right from Chas I, made no scruple, by the mouth of Glanville, their manager, to allow of the dispensing power in its full extent (State Trials, vol. vii first edit p 205. Parl Hist vol viii p. 132), and in the famous trial of ship-money, Holborne, the popular lawyer, had freely, and in the most explicit terms, made the same concession (State Trials, vol v first edit p 171). Sir Ed Coke, the great oracle of English law, had not only concurred with all other lawyers in favour of this prerogative, but seems even to believe it so inherent in the crown, that an act of parliament itself could not abolish it (Coke's Reports, xiith Rep p 18). And he particularly observes, that no law can impose such a disability of enjoying offices as the king may not dispense with, because the king, from the law of nature, has a right to the service of all his subjects. This particular reason, as well as all the general principles, is applicable to the question of the tests, nor can the dangerous consequence of granting dispensations in that case be ever allowed to be pleaded before a court of judicature. Every prerogative of the crown, it may be said, admits of abuse: should the king pardon all criminals, law must be totally dissolved: should he declare and continue perpetual war against all nations, inevitable ruin must ensue: yet these powers are entrusted to the sovereign, and we must be content, as our ancestors were, to depend upon his prudence and discretion in the exercise of them.

Though this reasoning seems founded on such principles as are usually admitted by lawyers, the people had entertained such violent prepossessions against the use which James here made of his prerogative, that he was obliged, before he brought on Hales's cause, to displace four of the judges, Jones, Montague, Charleton, and Nevil, and even Sir Ed Herbert, the chief justice, though a man of acknowledged virtue, yet, because he here supported the pretensions of the crown, was exposed to great and general reproach. Men deemed a dispensing to be in effect the same with a repealing power; and they could not conceive that less authority was necessary to repeal than to enact any statute. If one penal law was dispensed with, any other might undergo the same fate: and by what principle could even the laws which define property be afterwards secured from violation? The test act had ever been conceived the great barrier of the established religion under a popish successor: as such, it had been insisted on by the parliament, as such, granted by the king, as such, during the debates with regard to the exclusion, recommended by the chancellor. By what magic, what chicane of law, is it now annihilated, and rendered of no validity? These questions were every where asked; and men, straitened by precedents and decisions of great authority, were re-

duced either to question the antiquity of this prerogative itself, or to assert, that even the practice of near five centuries could not bestow on it sufficient authority (Sir Rob Atkins, p 21). It was not considered, that the present difficulty or seeming absurdity had proceeded from late innovations introduced into the government. Ever since the beginning of this century, the parliament had, with a laudable zeal, been acquiring powers and establishing principles favourable to law and liberty. the authority of the crown had been limited in many important particulars and penal statutes were often calculated to secure the constitution against the attempts of ministers, as well as to preserve a general peace, and repress crimes and immoralities. A prerogative, however, derived from very ancient, and almost uniform practice, the dispensing power, still remained, or was supposed to remain, with the crown, sufficient in an instant to overturn this whole fabric, and to throw down all fences of the constitution. If this prerogative, which carries on the face of it such strong symptoms of an absolute authority in the prince, had yet, in ancient times, subsisted with some degree of liberty in the subject, this fact only proves, that scarcely any human government, much less one erected in rude and barbarous times, is entirely consistent and uniform in all its parts. But to expect, that the dispensing power could, in any degree, be rendered compatible with those accurate and regular limitations, which had of late been established, and which the people were determined to maintain, was a vain hope, and though men knew not upon what principles they could deny that prerogative, they saw, that, if they would preserve their laws and constitution, there was an absolute necessity for denying, at least for abolishing it. The revolution alone, which soon succeeded, happily put an end to all these disputes: by means of it, a more uniform edifice was at last erected the monstrous inconsistency, so visible between the ancient Gothic parts of the fabric and the recent plans of liberty, was fully corrected. and to their mutual felicity, king and people were finally taught to know their proper boundaries¹.

Whatever topics lawyers might find to defend James's dispensing power, the nation thought it dangerous, if not fatal, to liberty, and his resolution of exercising it may on that account be esteemed no less alarming, than if the power had been founded on the most recent and most flagrant usurpation. It was not likely, that an authority, which had been assumed, through so many obstacles, would in his hands be long idle and unemployed. Four catholic lords were brought into the privy council, Powis, Arundell, Bellasis, and Dover. Halifax, finding,

¹ It is remarkable that the convention summoned by the Prince of Orange did not, even when they had the making of their own terms in 'the declaration of rights,' venture to condemn the dispensing power in general, which had been uniformly exercised by the former kings of England. They only condemned it so far 'as it had been assumed and exercised of late,' without being able to tell wherein the difference lay. But in the 'bill of rights,' which passed about a twelvemonth after, the parliament took care to secure themselves more effectually against a branch of prerogative incompatible with all legal liberty and limitations, and they excluded, in positive terms, all dispensing power in the crown. Yet even then the house of lords rejected that clause of the bill which condemned the exercise of this power in former kings, and obliged the commons to rest content with abolishing it for the future. There needs no other proof of the irregular nature of the old English government than the existence of such a prerogative, always exercised and never questioned, till the acquisition of real liberty discovered, at last, the danger of it (Journals).

that, notwithstanding his past merits, he possessed no real credit or authority, became refractory in his opposition, and his office of privy seal was given to Arundell. The king was open, as well as zealous, in the desire of making converts, and men plainly saw, that the only way to acquire his affection and confidence was by a sacrifice of their religion. Sunderland, some time after, scrupled not to gain favour at this price. Rochester, the treasurer, though the king's brother-in-law, yet, because he refused to give this instance of complaisance, was turned out of his office. the treasury was put in commission, and Bellasis was placed at the head of it. All the courtiers were disgusted, even such as had little regard to religion. The disonour, as well as distrust, attending renegades, made most men resolve, at all hazards, to adhere to their ancient faith.

In Scotland, James's zeal for proselytism was more successful. The Earls of Murray, Perth, and Melfort were brought over to the court religion, and the two latter noblemen made use of a very courtly reason for their conversion. they pretended, that the papers found in the late king's cabinet, had opened their eyes, and had convinced them of the preference due to the catholic religion. Queensberry, who showed not the same complaisance, fell into total disgrace, notwithstanding his former services, and the important sacrifices, which he had made to the measures of the court. These merits could not even ensure him of safety against the vengeance to which he stood exposed. His rival, Perth, who had been ready to sink under his superior interest, now acquired the ascendant, and all the complaints exhibited against him, were totally obliterated. 'His faith,' according to a saying of Halifax, 'had made him whole.'

But it was in Ireland chiefly, that the mask was wholly taken off, and that the king thought himself at liberty to proceed to the full extent of his zeal and his violence. The Duke of Ormond was recalled, and though the primate and Lord Granard, two protestants, still possessed the authority of justices, the whole power was lodged in the hands of Talbot, the general, soon after created Earl of Tyrconnel; a man, who, from the blindness of his prejudices and fury of his temper, was transported with the most immeasurable ardour for the catholic cause. After the suppression of Monmouth's rebellion, orders were given by Tyrconnel to disarm all the protestants, on pretence of securing the public peace, and keeping their arms in a few magazines for the use of the militia. Next, the army was new-modelled, and a great number of officers were dismissed, because it was pretended, that they or their fathers had served under Cromwell and the republic. The injustice was not confined to them. Near 300 officers more were afterwards broken, though many of them had purchased their commissions about 4000 or 5000 private soldiers, because they were protestants, were dismissed, and being stripped even of their regimentals, were turned out to starve in the streets. While these violences were carrying on, Clarendon, who had been named lord-lieutenant, came over, but he soon found, that, as he had refused to give the king the desired pledge of fidelity, by changing his religion, he possessed no credit or authority. He was even a kind of prisoner in the hands of Tyrconnel, and as he gave all opposition in his

power to the precipitate measures of the catholics, he was soon after recalled, and Tyrconnel substituted in his place. The unhappy protestants now saw all the civil authority, as well as the military force, transferred into the hands of their inveterate enemies; inflamed with hereditary hatred, and stimulated by every motive, which the passion either for power, property, or religion could inspire. Even the barbarous banditti were let loose to prey on them in their present defenceless condition. A renewal of the ancient massacres was apprehended; and great multitudes, struck with the best-grounded terror, deserted the kingdom, and infused into the English nation a dread of those violences, to which, after some time, they might justly, from the prevalence of the catholics, think themselves exposed.

All judicious persons of the catholic communion were disgusted with these violent measures, and could easily foresee the consequences. But James was entirely governed by the rash counsels of the queen and of his confessor, Father Peters, a Jesuit, whom he soon after created a privy counsellor. He thought too, that, as he was now in the decline of life, it was necessary for him, by hasty steps, to carry his designs into execution; lest the succession of the Princess of Orange should overturn all his projects. In vain did Arundell, Powis, and Bellasis remonstrate, and suggest more moderate and cautious measures. These men had seen and felt, during the prosecution of the popish plot, the extreme antipathy which the nation bore to their religion, and though some subsequent incidents had seemingly allayed that spirit, they knew, that the settled habits of the people were still the same, and that the smallest incident was sufficient to renew the former animosity. A very moderate indulgence, therefore, to the catholic religion would have satisfied them, and all attempts to acquire power, much more to produce a change of the national faith, they deemed dangerous and destructive (D'Avaux, Jan. 10, 1687).

On the first broaching of the popish plot, the clergy of the Church of England had concurred in the prosecution of it, with the same violence and credulity as the rest of the nation. But dreading afterwards the prevalence of republican and presbyterian principles, they had been engaged to support the measures of the court, and to their assistance chiefly, James had owed his succession to the crown. Finding that all these services were forgotten, and that the catholic religion was the king's sole favourite, the church had commenced an opposition to court measures; and popery was now acknowledged the more immediate danger. In order to prevent inflammatory sermons on this popular subject, James revived some directions to preachers, which had been promulgated by the late king, in the beginning of his reign, when no design against the national religion was yet formed, or at least apprehended. But in the present delicate and interesting situation of the church, there was little reason to expect that orders founded on no legal authority, would be rigidly obeyed by preachers, who saw no security to themselves but in preserving the confidence and regard of the people. Instead of avoiding controversy, according to the king's injunctions, the preachers everywhere declaimed against popery; and, among the rest, Dr. Sharpe, a clergyman of London, particularly distinguished himself, and affected to throw great contempt on those

who had been induced to change their religion by such pitiful arguments as the Romish missionaries could suggest. This topic, being supposed to reflect on the king, gave great offence at court, and positive orders were issued to the Bishop of London, his diocesan, immediately to suspend Sharpe, till his majesty's pleasure should be farther known. The prelate replied, that he could not possibly obey these commands, and that he was not empowered, in such a summary manner, to inflict any punishment even upon the greatest delinquent. But neither this obvious reason, nor the most dutiful submissions, both of the prelate and of Sharpe himself, could appease the court. The king was determined to proceed with violence in the prosecution of this affair. The bishop himself he resolved to punish for disobedience to his commands, and the expedient, which he employed for that purpose, was of a nature the most illegal and the most alarming.

Among all the engines of authority formerly employed by the crown, none had been more dangerous, or even destructive, to liberty, than the court of high commission, which, together with the star-chamber, had been abolished in the reign of Chas. I. by act of parliament, in which a clause was also inserted, prohibiting the erection in all future times of that court, or any of a like nature. But this law was deemed by James no obstacle, and an ecclesiastical commission was anew issued, by which seven¹ commissioners were vested with full and unlimited authority over the Church of England. On them were bestowed the same inquisitorial powers, possessed by the former court of high commission. They might proceed upon bare suspicion, and the better to set the law at defiance, it was expressly inserted in their patent itself, that they were to exercise their jurisdiction, notwithstanding any law or statute to the contrary. The king's design to subdue the church was now sufficiently known; and had he been able to establish the authority of this new-erected court, his success was infallible. A more sensible blow could not be given, both to national liberty and religion, and happily the contest could not be tried in a cause more iniquitous and unpopular than that against Sharpe and the Bishop of London.

The prelate was cited before the commissioners. After denying the legality of the court, and claiming the privilege of all Christian bishops to be tried by the metropolitan and his suffragans, he pleaded in his own defence that, as he was obliged, if he had suspended Sharpe, to act in the capacity of a judge, he could not, consistent either with law or equity, pronounce sentence without a previous citation and trial. That he had by petition represented this difficulty to his Majesty, and not receiving any answer, he had reason to think, that his petition had given entire satisfaction. That in order to show farther his deference, he had advised Sharpe to abstain from preaching, till he had justified his conduct to the king, an advice, which, coming from a superior, was equivalent to a command, and had accordingly met with the proper obedience. That he had thus, in his apprehension,

¹ The persons named were the Archbishop of Canterbury, Sancroft, the Bishop of Durham, Crew, of Rochester, Sprat, the Earl of Rochester, Sunderland, Chancellor Jefferies, and Lord Chief Justice Hebert. The archbishop refused to act, and the Bishop of Chester was substituted in his place.

conformed himself to his Majesty's pleasure, but if he should still be found wanting to his duty in any particular, he was now willing to crave pardon, and to make reparation. All this submission, both in Sharpe and the prelate, had no effect. it was determined to have an example. orders were accordingly sent to the commissioners to proceed and by a majority of votes the bishop, as well as the doctor, was suspended.

Almost the whole of this short reign consists of attempts, always impudent, often illegal, sometimes both, against whatever was most loved and revered by the nation. even such schemes of the king's as might be laudable in themselves, were so disgraced by his intentions, that they serve only to aggravate the charge against him. James was become a great patron of toleration, and an enemy to all those persecuting laws, which, from the influence of the Church, had been enacted both against the dissenters and catholics. Not content with granting dispensations to particular persons, he assumed a power of issuing a declaration of general indulgence, and of suspending at once all the penal statutes, by which a conformity was required to the established religion. This was a strain of authority, it must be confessed, quite inconsistent with law and a limited constitution, yet was it supported by many strong precedents in the history of England. Even after the principles of liberty were become more prevalent, and began to be well understood, the late king had, oftener than once, and without giving much umbrage, excited this dangerous power. he had, in 1662, suspended the execution of a law, which regulated carriages during the two Dutch wars, he had twice suspended the act of navigation and the commons, in 1666, being resolved, contrary to the king's judgment, to enact that iniquitous law against the importation of Irish cattle, found it necessary, in order to obviate the exercise of this prerogative, which they desired not at that time entirely to deny or abrogate, to call that importation a nuisance.

Though the former authority of the sovereign was great in civil affairs, it was still greater in ecclesiastical, and the whole despotic power of the popes was often believed, in virtue of the supremacy, to have devolved to the crown. The last parliament of Chas. I by abolishing the power of the king and convocation to frame canons without consent of parliament, had somewhat diminished the supposed extent of the supremacy, but still very considerable remains of it, at least very important claims, were preserved and were occasionally made use of by the sovereign. In 1662, Charles, pleading both the rights of his supremacy and his suspending power, had granted a general indulgence or toleration, and in 1672 he renewed the same edict though the remonstrances of his parliament obliged him, on both occasions, to retract, and in the last instance, the triumph of law over prerogative was deemed very great and memorable. In general, we may remark, that, where the exercising of the suspending power was agreeable and useful, the power itself was little questioned: where the exercise was thought liable to exceptions, men not only opposed it, but proceeded to deny altogether the legality of the prerogative, on which it was founded.

James, more impudent and arbitrary than his predecessor issued

his proclamation, suspending all the penal laws in ecclesiastical affairs, and granting a general liberty of conscience to all his subjects. He was not deterred by the reflection, both that this scheme of indulgence was already blasted by two fruitless attempts, and that in such a government as that of England, it was not sufficient that a prerogative be approved of by some lawyers and antiquaries - if it was condemned by the general voice of the nation, and yet was still exerted, the victory over national liberty was no less signal than if obtained by the most flagrant injustice and usurpation. These two considerations, indeed, would rather serve to recommend this project to James, who deemed himself superior in vigour and activity to his brother, and who probably thought, that his people enjoyed no liberties, but by his royal concession and indulgence.

In order to procure a better reception for his edict of toleration, the king, finding himself opposed by the Church, began to pay court to the dissenters, and he imagined, that, by playing one party against another, he should easily obtain the victory over both, a refined policy which it much exceeded his capacity to conduct. His intentions were so obvious, that it was impossible for him ever to gain the sincere confidence and regard of the non-conformists. They knew, that the genius of their religion was diametrically opposite to that of the catholics, the sole object of the king's affection. They were sensible, that both the violence of his temper, and the maxims of his religion, were repugnant to the principles of toleration. They had seen, that, on his accession, as well as during his brother's reign, he had courted the Church at their expense; and it was not till his dangerous schemes were rejected by the prelates, that he had recourse to the non-conformists. All his favours, therefore, must, to every man of judgment among the sectaries, have appeared insidious - yet such was the pleasure reaped from present ease, such the animosity of the dissenters against the Church, who had so long subjected them to the rigours of persecution, that they everywhere expressed the most entire duty to the king, and compliance with his measures; and could not forbear rejoicing extremely in the present depression of their adversaries.

But had the dissenters been ever so much inclined to shut their eyes with regard to the king's intentions, the manner of conducting his scheme in Scotland was sufficient to discover the secret. The king first applied to the Scottish parliament, and desired an indulgence for the catholics alone, without comprehending the presbyterians - but that assembly, though more disposed than even the parliament of England, to sacrifice their civil liberties, resolved likewise to adhere pertinaciously to their religion, and they rejected for the first time the king's application. James, therefore, found himself obliged to exert his prerogative, and he now thought it prudent to interest a party among his subjects, besides the catholics, in supporting this act of authority. To the surprise of the harassed and persecuted presbyterians, they heard the principles of toleration everywhere extolled, and found that full permission was granted to attend conventicles, an offence, which, even during this reign, had been declared no less than a capital enormity. The king's declaration, however, of indulgence contained clauses, sufficient to depress their joy. As if popery were

already predominant, he declared, 'that he never would use force or "invincible necessity" against any man on account of his persuasion ' of the protestant religion ' a promise surely of toleration given to the protestants with great precaution, and admitting a considerable latitude for persecution and violence. It is likewise remarkable, that the king declared in express terms, 'that he had thought fit, by his ' sovereign authority, prerogative, royal and "absolute" power, which ' all his subjects were to obey "without reserve," to grant this royal ' toleration ' The dangerous designs of other princes are to be collected by a comparison of their several actions, or by a discovery of their more secret counsels but so blinded was James with zeal, so transported by his imperious temper, that even his proclamations and public edicts contain expressions which, without farther enquiry, may suffice to his condemnation.

The English well knew, that the king, by the constitution of their government, thought himself intitled, as indeed he was, to as ample authority in his southern, as in his northern kingdom, and therefore, though the declaration of indulgence published for England was more cautiously expressed, they could not but be alarmed by the arbitrary treatment to which their neighbours were exposed. It is even remarkable, that the English declaration contained clauses of a strange import. The king there promised, that he would maintain his loving subjects in all their properties and possessions, as well of church and abbey lands as of any other. Men thought, that, if the full establishment of popery were not at hand, this promise was quite superfluous; and they concluded, that the king was so replete with joy on the prospect of that glorious event, that he could not, even for a moment, refrain from expressing it.

But what afforded the most alarming prospect, was the continuance and even increase of the violent and precipitate conduct of affairs in Ireland. Tyrconnel was now vested with full authority, and carried over with him as chancellor one Fitton, a man who was taken from a jail, and who had been convicted of forgery and other crimes, but who compensated for all his enormities by a headlong zeal for the catholic religion. He was even heard to say from the bench, that the protestants were all rogues, and that there was not one among forty thousand that was not a traitor, a rebel, and a villain. The whole strain of the administration was suitable to such sentiments. The catholics were put in possession of the council table, of the courts of judicature, and of the bench of justices. In order to make them masters of the parliament, the same violence was exercised that had been practised in England. The charters of Dublin and of all the corporations were annulled, and new charters were granted, subjecting the corporations to the will of the sovereign. The protestant free-men were expelled, catholics introduced, and the latter sect, as they always were the majority in number, were now invested with the whole power of the kingdom. The act of settlement was the only obstacle to their enjoying the whole property; and Tyrconnel had formed a scheme for calling a parliament, in order to reverse that act, and empower the king to bestow all the lands of Ireland on his catholic subjects. But in this scheme he met with opposition from the moderate catholics in

the king's council Lord Bellasis went even so far as to affirm with an oath, 'that that fellow in Ireland was fool and madman enough to ruin 'ten kingdoms' The decay of trade, from the desertion of the protestants, was represented, the sinking of the revenue, the alarm communicated to England and by these considerations the king's resolutions were for some time suspended, though it was easy to foresee, from the tenor of his conduct, which side would at last preponderate.

But the king was not content with discovering in his own kingdoms the imprudence of his conduct he was resolved, that all Europe should be witness of it He publicly sent the Earl of Castelmaine ambassador extraordinary to Rome, in order to express his obeisance to the Pope, and to make advances for reconciling his kingdom, in form, to the catholic communion Never man, who came on so important an errand, met with so many neglects and even affronts, as Castelmaine. The pontiff, instead of being pleased with this forward step, concluded that a scheme, conducted with so much indiscretion, could never possibly be successful And as he was engaged in a violent quarrel with the French monarch, a quarrel which interested him more nearly than the conversion of England, he bore little regard to James, whom he believed too closely connected with his capital enemy

The only proof of complaisance, which James received from the pontiff was his sending a nuncio to England, in return for the embassy. By act of parliament any communication with the Pope was made treason yet so little regard did the king pay to the laws, that he gave the nuncio a public and solemn reception at Windsor. The Duke of Somerset, one of the bed-chamber, because he refused to assist at this ceremony, was dismissed from his employment The nuncio resided openly in London during the rest of this reign Four catholic bishops were publicly consecrated in the king's chapel, and sent out under the title of vicars apostolical, to exercise the episcopal function in their respective dioceses Their pastoral letters, directed to the lay catholics of England, were printed and dispersed by the express allowance and permission of the king The regular clergy of that communion appeared at court in the habits of their order, and some of them were so indiscreet as to boast, that, in a little time, they hoped to walk in procession through the capital.

While the king shocked in the most open manner all the principles and prejudices of his protestant subjects, he could not sometimes but be sensible, that he stood in need of their assistance for the execution of his designs He had himself, by virtue of his prerogative, suspended the penal laws, and dispensed with the test, but he would gladly have obtained the sanction of parliament to these acts of power; and he knew, that, without this authority, his edicts alone would never afford a durable security to the catholics He had employed, therefore, with the members of parliament many private conferences, which were then called 'closetings,' and he used every expedient of reasons, menaces, and promises to break their obstinacy in this particular. Finding all his efforts fruitless, he had dissolved the parliament, and was determined to call a new one, from which he expected more complaisance and submission. By the practice of annulling the charters,

the king was become master of all the corporations, and could at pleasure change everywhere the whole magistracy. The church party, therefore, by whom the crown had been hitherto so remarkably supported, and to whom the king visibly owed his safety from all the efforts of his enemies, was deprived of authority; and the dissenters, those very enemies, were, first in London, and afterwards in every other corporation, substituted in their place. Not content with this violent and dangerous innovation, the king appointed certain regulators to examine the qualifications of electors; and directions were given them to exclude all such as adhered to the test and penal statutes.¹ Queries to this purpose were openly proposed in all places, in order to try the sentiments of men, and enable the king to judge of the proceedings of the future parliament. The power of the crown was at this time so great, and the revenue, managed by James's frugality, so considerable and independent, that, if he had embraced any national party, he had been ensured of success; and might have carried his authority to what length he pleased. But the catholics, to whom he had entirely devoted himself, were scarcely the hundredth part of the people. Even the protestant non-conformists, whom he so much courted, were little more than the twentieth, and what was worse, reposed no confidence in the unnatural alliance contracted with the catholics, and in the principles of toleration, which, contrary to their usual practice in all ages, seemed at present to be adopted by that sect. The king, therefore, finding little hopes of success, delayed the summoning of a parliament, and proceeded still in the exercise of his illegal and arbitrary authority.

The whole power in Ireland had been committed to catholics. In Scotland, all the ministers, whom the king chiefly trusted, were converts to that religion. Every great office in England, civil and military, was gradually transferred from the protestants. Rochester and Clarendon, the king's brothers-in-law, though they had ever been faithful to his interests, could not, by all their services, atone for their adherence to the national religion, and had been dismissed from their employments. The violent Jelferies himself, though he had sacrificed justice and humanity to the court, yet, because he refused also to give up his religion, was declining in favour and interest. Nothing now remained but to open the door in the church and universities to the intrusion of the catholics. It was not long before the king made this rash effort; and by constraining the prelacy and established church to seek protection in the principles of liberty, he at last left himself entirely without friends and adherents.

Father Francis, a Benedictine, was recommended by the king's mandate to the university of Cambridge for the degree of master of arts; and as it was usual for the university to confer that degree on persons eminent for learning, without regard to their religion; and as they had even admitted lately the secretary to the ambassador of Morocco; the king on that account thought himself the better entitled to compliance.

¹ The elections in some places, particularly in York, were transferred from the people to the magistrates, who, by the new charter, were all named by the crown (Sir John Keresley's *mem.* p. 27). This was in reality nothing different from the king's naming the members. The same act of authority had been employed in all the boroughs of Scotland.

But the university considered, that there was a great difference between a compliment bestowed on foreigners, and degrees which gave a title to vote in all the elections and statutes of the university, and which, if conferred on the catholics, would infallibly in time render that sect entirely superior. They therefore refused to obey the king's mandate, and were cited to appear before the court of ecclesiastical commission. The vice-chancellor was suspended by that court, but as the university chose a man of spirit to succeed him, the king thought proper for the present to drop his pretensions.

The attempt upon the university of Oxford was prosecuted with more inflexible obstinacy, and was attended with more important consequences. This university had lately, in their famous decree, made a solemn profession of passive obedience, and the court probably expected, that they would show their sincerity, when their turn came to practise that doctrine, which, though, if carried to the utmost extent, it be contrary both to reason and to nature, is apt to meet with the more effectual opposition from the latter principle. The president of Magdalen college, one of the richest foundations in Europe, dying about this time, a mandate was sent in favour of Farmer, a new convert, but one who, besides his being a catholic, had not, in other respects, the qualifications required by the statutes for enjoying that office. The fellows of the college made submissive applications to the king for recalling his mandate, but before they received an answer, the day came, on which, by their statutes, they were obliged to proceed to an election. They chose Dr Hough, a man of virtue, as well as of the firmness and vigour requisite for maintaining his own rights and those of the university. In order to punish the college for this contumacy, as it was called, an inferior ecclesiastical commission was sent down, and the new president and the fellows were cited before it. So little regard had been paid to any consideration besides religion, that Farmer, on enquiry, was found guilty of the lowest and most scandalous vices; insomuch that even the ecclesiastical commissioners were ashamed to insist on his election. A new mandate, therefore, was issued in favour of Parker, lately created bishop of Oxford, a man of a prostitute character, but who, like Farmer, atoned for all his vices by his avowed willingness to embrace the catholic religion. The college represented, that all presidents had ever been appointed by election, and there were few instances of the king's interposing by his recommendation in favour of any candidate, that having already made a regular election of a president, they could not deprive him of his office, and, during his lifetime, substitute any other in his place, that, even if there were a vacancy, Parker, by the statutes of their founder, could not be chosen, that they had all of them bound themselves by oath to observe these statutes, and never on any account to accept of a dispensation; and that the college had at all times so much distinguished itself by its loyalty, that nothing but the most invincible necessity could now oblige them to oppose his majesty's inclinations. All these reasons availed them nothing. The president and all the fellows, except two who complied, were expelled the college, and Parker was put in possession of the office. This act of violence, of all those which were committed during the reign of James, is perhaps the most illegal

and arbitrary. When the dispensing power was the most strenuously insisted on by court lawyers, it had still been allowed, that the statutes, which regard private property, could not legally be infringed by that prerogative. Yet in this instance it appeared, that even these were not now secure from invasion. The privileges of a college are attacked : men are illegally dispossessed of their property, for adhering to their duty, to their oaths, and to their religion : the fountains of the church are attempted to be poisoned, nor would it be long, it was concluded, ere all ecclesiastical, as well as civil preferments, would be bestowed on such as, negligent of honour, virtue, and sincerity, basely sacrificed their faith to the reigning superstition. Such were the general sentiments, and as the universities have an intimate connection with the ecclesiastical establishments, and mightily interest all those who have there received their education, this arbitrary proceeding begat universal discontent against the king's administration.

The next measure of the court was an insult still more open on the ecclesiastics, and rendered the breach between the king and that powerful body fatal, as well as incurable. It is strange that James, when he felt, from the sentiments of his own heart, what a mighty influence religious zeal had over him, should yet be so infatuated as never once to suspect, that it might possibly have a proportionable authority over his subjects. Could he have profited by repeated experience, he had seen instances enough of their strong aversion to that communion, which, from a violent, impetuous temper, he was determined, by every possible expedient, to introduce into his kingdoms.

The king published (A. D. 1688) a second declaration of indulgence, almost in the same terms with the former, and he subjoined an order, that, immediately after divine service, it should be read by the clergy in all the churches. As they were known universally to disapprove of the use made of the suspending power, this clause, they thought, could be meant only as an insult upon them ; and they were sensible, that, by their compliance, they should expose themselves, both to public contempt, on account of their tame behaviour, and to public hatred, by their indirectly patronising so obnoxious a prerogative.¹ They were determined, therefore, almost universally to preserve the regard of the people ; their only protection, while the laws were become of so little validity, and while the court was so deeply engaged in opposite interests. In order to encourage them in this resolution, six prelates, namely, Lloyde, bishop of St Asaph, Ken of Bath and Wells, Turner of Ely, Lake of Chichester, White of Peterborough, and Melawney of Bristol, met privately with the primate, and concerted the form of a petition to the king. They there represent in few words, that, though possessed of the highest sense of loyalty, a virtue of which the church of England had given such eminent testimonies, and though desirous of affording ease, in a legal way, to all protestant dissenters, yet, because the declaration of indulgence was founded on a prerogative, formerly declared illegal by parliament, they could not, in prudence, honour, or conscience, so far make themselves parties as the distribution of it all over

¹ When Charles dissolved his first parliament, he set forth a declaration giving his reasons for that measure, and this declaration the clergy had been ordered to read to the people after divine service. These orders were agreeable to their party prejudices, and they willingly submitted to them. The contrary was now the case.

the kingdom would be interpreted to amount to. They therefore besought the king, that he would not insist upon their reading that declaration¹

The king was incapable, not only of yielding to the greatest opposition, but of allowing the slightest and most respectful contradiction to pass uncensured. He immediately embraced a resolution (and his resolutions, when once embraced, were inflexible) of punishing the bishops, for a petition so popular in its matter, and so prudent and cautious in the expression. As the petition was delivered him in private, he summoned them before the council; and questioned them whether they would acknowledge it. The bishops saw his intention, and seemed long desirous to decline answering; but being pushed by the chancellor, they at last avowed the petition. On their refusal to give bail, an order was immediately drawn for their commitment to the Tower, and the crown lawyers received directions to prosecute them for the seditious libel which, it was pretended, they had composed and uttered.

The people were already aware of the danger to which the prelates were exposed, and were raised to the highest pitch of anxiety and attention with regard to the issue of this extraordinary affair. But when they beheld these fathers of the church brought from court under the custody of a guard, when they saw them embarked in vessels on the river, and conveyed towards the Tower, all their affection for liberty, all their zeal for religion, blazed up at once; and they flew to behold this affecting spectacle. The whole shore was covered with crowds of prostrate spectators, who at once implored the blessing of those holy pastors, and addressed their petitions towards heaven for protection during this extreme danger, to which their country and their religion stood exposed. Even the soldiers, seized with the contagion of the same spirit, flung themselves on their knees before the distressed prelates, and craved the benediction of those criminals whom they were appointed to guard. Some persons ran into the water, that they might participate more nearly in those blessings, which the prelates were distributing on all around them. The bishops themselves, during this triumphant suffering, augmented the general favour, by the most lowly submissive deportment, and they still exhorted the people to fear God, honour the king, and maintain their loyalty, expressions more animating than the most inflammatory speeches. And no sooner had they entered the precincts of the Tower than they hurried to chapel, in order to return thanks for those afflictions, which heaven, in defence of its holy cause, had thought them worthy to endure.

¹ The words of the petition were 'That the great averseness found in themselves to their distributing and publishing in all their churches your Majesty's late declaration for liberty of conscience, proceeds neither from any want of duty and obedience to your Majesty (our holy mother, the Church of England, being, both in her principles and her constant practice, unquestionably loyal, and having, to her great honour, been more than once publicly acknowledged to be so by your gracious Majesty) nor yet from any want of tenderness to dissenters, in relation to whom we are willing to come to such a temper as shall be thought fit, when the matter shall be considered and settled in parliament and convocation. But among many other considerations from this especially, because that declaration is founded upon such a dispensing power as hath been often declared illegal in parliament, and particularly in the years 1662 and 1672, and in the beginning of your Majesty's reign, and is a matter of so great moment and consequence to the whole nation, both in Church and State that your petitioners cannot in prudence, honour, or conscience so far make themselves parties to it as a distribution of it all over the nation, and the solemn publication of it once and again, even in God's house, and in the time of divine service, must amount to in common and reasonable construction.'

flattered themselves. Calumny even went so far as to ascribe to the king the design of imposing on the world a supposititious child, who might be educated in his principles, and after his death support the catholic religion in his dominions. The nation almost universally believed him capable, from bigotry, of committing any crime, as they had seen, that, from like motives, he was guilty of every imprudence and the affections of nature, they thought, would be easily sacrificed to the superior motive of propagating a catholic and orthodox faith. The present occasion was not the first, when that calumny had been invented. In the year 1682, the queen, then Duchess of York, had been pregnant, and rumours were spread that an imposture would at that time be obtruded upon the nation. But happily, the infant proved a female, and thereby spared the party all the trouble of supporting their improbable fiction.¹

CHAPTER LXXI.

Conduct of the Prince of Orange—He forms a league against France—refuses to concur with the king—resolves to oppose the king—Is applied to by the English—Coalition of parties—Prince's preparations—Offer of France to the king—rejected—Supposed league with France—General discontents—The king retracts his measures—Prince's declaration—The prince lands in England—General commotion—Desertion of the army—and of Prince George—and of the Princess Anne—King's consternation—and flight—General confusion—King seized at Faversham—Second escape—The king's character—Convention summoned—Settlement of Scotland—The English convention meets—Views of the parties—Free conference between the houses—Commons prevails—Settlement of the crown—Manners and sciences

WHILE every motive, civil and religious, concurred to alienate from the king every rank and denomination of men, it might be expected that his throne would, without delay, fall to pieces by its own weight. but such is the influence of established government, so avise are men from beginning hazardous enterprises, that, had not an attack been made from abroad, affairs might long have remained in their present delicate situation, and James might at last have prevailed in his rash and ill-concerted projects.

The Prince of Orange, ever since his marriage with the lady Mary, had maintained a very prudent conduct, agreeably to that sound understanding, with which he was so eminently endowed. He made it a maxim to concern himself little in English affairs, and never by any measure to disgust any of the factions, or give umbrage to the prince, who filled the throne. His natural inclination, as well as his interest, led him to employ himself with assiduous industry in the transactions on the continent, and to oppose the grandeur of the French monarch,

¹ This story is taken notice of in a weekly paper, the 'Observer,' published at that very time, Aug. 23, 1682. Party zeal is capable of swallowing the most incredible story, but it is surely singular, that the same calumny, when once baffled, should yet be renewed with such success.

against whom he had long, both from personal and political considerations, conceived a violent animosity. By this conduct, he gratified the prejudices of the whole English nation but as he crossed the inclinations of Charles, who sought peace by compliance with France, he had much declined in the favour and affections of that monarch.

James on his accession found it so much his interest to live on good terms with the heir apparent, that he showed the prince some demonstrations of friendship; and the prince, on his part, was not wanting in every instance of duty and regard towards the king. On Monmouth's invasion, he immediately dispatched over six regiments of British troops, which were in the Dutch service, and he offered to take the command of the king's forces against the rebels. How little soever he might approve of James's administration, he always kept a total silence on the subject, and gave no countenance to those discontents, which were propagated with such industry throughout the nation.

It was from the application of James himself, that the prince first openly took any part in English affairs. Notwithstanding the lofty ideas which the king had entertained of his prerogative, he found, that the edicts emitted from it still wanted much of the authority of laws, and that the continuance of them might in the issue become dangerous, both to himself and to the catholics, whom he desired to favour. An act of parliament alone could insure the indulgence or toleration, which he had laboured to establish, and he hoped, that, if the prince would declare in favour of that scheme, the members, who had hitherto resisted all his own applications, would at last be prevailed with to adopt it. The consent, therefore, of the prince to the repeal of the penal statutes and of the test was strongly solicited by the king; and in order to engage him to agree to that measure, hopes were given (Burnet, vol. i. p. 711. D'Avaux, 15 April, 1688), that England would second him in all those enterprises, which his active and extensive genius had with such success planned on the continent. He was at this time the centre of all the negotiations of Christendom.

The emperor and the King of Spain, as the prince well knew, were enraged by the repeated injuries which they had suffered from the ambition of Lewis, and still more by the frequent insults which his pride had made them undergo. He was apprised of the influence of these monarchs over the catholic princes of the empire. He had himself acquired great authority with the protestants and he formed a project of uniting Europe in one general league against the encroachments of France, which seemed so nearly to threaten the independence of all its neighbours.

No characters are more incompatible than those of a conqueror and a persecutor, and Lewis soon found, that besides his weakening France by the banishment of so many useful subjects, the refugees had inflamed all the protestant nations against him, and had raised him enemies, who, in defence of their religion as well as liberty, were obstinately resolved to oppose his progress. The city of Amsterdam and other towns in Holland, which had before fallen into a dependance on France, being terrified with the accounts, which they every moment received, of the furious persecutions against the Huguenots, had now dropped all domestic faction, and had entered into an entire confidence

with the Prince of Orange¹ The protestant princes of the empire formed a separate league at Magdebourg for the defence of their religion. The English were anew enraged at the blind bigotry of their sovereign, and were disposed to embrace the most desperate resolutions against him From a view of the state of Europe during this period, it appears, that Lewis, besides sullyng an illustrious reign, had wantonly by this persecution raised invincible barriers to his aims, which otherwise it had been difficult, if not impossible, to resist.

The Prince of Orange knew how to avail himself of all these advantages By his intrigues and influence there was formed at Augsbourg a league, in which the whole empire united for its defence against the French monarch Spain and Holland became parties in the alliance The accession of Savoy was afterwards obtained Sweden and Denmark seemed to favour the same cause But though these numerous states composed the greater part of Europe, the league was still deemed imperfect and unequal to its end, so long as England maintained that neutrality, in which she had hitherto persevered

James, though more prone to bigotry, was more sensible to his own and to national honour than his brother, and had he not been restrained by the former motive, he would have maintained with more spirit the interests and independence of his kingdoms When a prospect therefore, appeared of effecting his religious schemes by opposing the progress of France, he was not averse to that measure, and he gave his son-in-law room to hope, that, by concurring with his views in England, he might prevail with him to second those projects, which the prince was so ambitious of promoting

A more tempting offer could not be made to a person of his enterprising character but the objections to that measure, upon deliberation, appeared to him unsurmountable The king, he observed, had incurred the hatred of his own subjects great apprehensions were entertained of his designs the only resource, which the nation saw, was in the future succession of the prince and princess should 'he' concur in those dreaded measures, he should draw on himself all the odium under which the king laboured the nation might even refuse to bear the expense of alliances, which would in that case become so suspicious and he might himself incur danger of losing a succession which was awaiting him, and which the egregious indiscretion of the king seemed even to give him hopes of reaping, before it should devolve to him by the course of nature The prince, therefore, would go no farther than to promise his consent to the repeal of the penal statutes, by which the non-conformists as well as catholics were exposed to punishment the test he deemed a security absolutely necessary for the established religion

The king did not remain satisfied with a single trial There was one Stuart, a Scotch lawyer, who had been banished for pretended treasonable practices; but who had afterwards obtained a pardon, and had been recalled By the king's directions, Stuart wrote several letters to pensionary Fagel, with whom he had contracted an acquaintance in Holland, and besides urging all the motives for an unlimited toleration, he desired, that his reasons should, in the king's name, be

communicated to the Prince and Princess of Orange Fagel during a long time made no reply, but finding that his silence was construed into an assent, he at last expressed his own sentiments and those of their Highnesses. He said, that it was their fixed opinion, that no man, merely because he differed from the established faith, should ever, while he remained a peaceable subject, be exposed to any punishment or even vexation. That the prince and princess gave heartily their consent for repealing legally all the penal statutes, as well those which had been enacted against the catholics as against the protestant non-conformists, and would concur with the king in any measure for that purpose. That the test was not to be considered as a penalty inflicted on the professors of any religion, but as a security provided for the established worship. That it was no punishment on men to be excluded from public offices, and to live peaceably on their own revenues or industry. That even in the United Provinces, which were so often cited as models of toleration, though all sects were admitted, yet civil offices were enjoyed by the professors of the established religion alone. That military commands, indeed, were sometimes bestowed on catholics, but as they were conferred with great precaution, and still lay under the control of the magistrate, they could give no just reason for umbrage. And that their Highnesses, however desirous of gratifying the king, and of endeavouring, by every means, to render his reign peaceable and happy, could not agree to any measure which would expose their religion to such imminent danger.

When this letter was published, as it soon was, it inspired great courage into the protestants of all denominations, and served to keep them united in their opposition to the encroachments of the catholics. On the other hand, the king, who was not content with a simple toleration for his own religion, but was resolved that it should enjoy great credit, if not an absolute superiority, was extremely disgusted, and took every occasion to express his displeasure, as well against the Prince of Orange as the United Provinces. He gave the Algerine pirates, who preyed on the Dutch, a reception in his harbours, and liberty to dispose of their prizes. He revived some complaints of the East India company with regard to the affair of Bantam (D'Avaux, Jan 21, 1687). He required the six British regiments in the Dutch service to be sent over. He began to put his navy in a formidable condition. And from all his movements, the Hollanders entertained apprehensions, that he sought only an occasion and pretence for making war upon them.

The prince in his turn resolved to push affairs with more vigour, and to preserve all the English protestants in his interests, as well as maintain them firm in their present union against the catholics. He knew, that men of education in England were, many of them, retained in their religion more by honour than by principle (Burnet); and that, though everyone was ashamed to be the first proselyte, yet if the example were once set by some eminent persons, interest would every day make considerable conversions to a communion, which was so zealously encouraged by the sovereign. Dykvelt therefore was sent over as envoy to England, and the prince gave him instructions, besides publicly remonstrating on the conduct of affairs both at home

and abroad, to apply in his name, after a proper manner, to every sect and denomination To the church party he sent assurances of favour and regard, and protested, that his education in Holland had nowise prejudiced him against episcopal government The non-conformists were exhorted not to be deceived by the fallacious caresses of a popish court, but to wait patiently till, in the fullness of time, laws, enacted by protestants, should give them that toleration, which, with so much reason, they had long demanded Dykvelt executed his commission with such dexterity, that all orders of men cast their eyes towards Holland, and expected thence a deliverance from those dangers, with which their religion and liberty were so nearly threatened.

Many of the most considerable persons, both in church and state, made secret applications to Dykvelt, and through him to the Prince of Orange Admiral Herbert too, though a man of great expense, and seemingly of little religion, had thrown up his employments, and had retired to the Hague, where he assured the prince of the disaffection of the seamen, by whom that admiral was extremely beloved Admiral Russell, cousin-german to the unfortunate lord of that name, passed frequently between England and Holland, and kept the communication open with all the great men of the protestant party Henry Sidney, brother to Alcegon, and uncle to the Earl of Sunderland, came over under pretence of drinking the waters at Spa, and conveyed still stronger assurances of an universal combination against the measures of the king Lord Dunblane, son of the Earl of Danby, being master of a frigate, made several voyages to Holland, and carried from many of the nobility tenders of duty, and even considerable sums of money,¹ to the Prince of Orange

There remained, however, some reasons, which retained all parties in awe, and kept them from breaking out into immediate hostility. The prince, on the one hand, was afraid of hazarding, by violent measures, an inheritance which the laws ensured to the princess, and the English protestants, on the other, from the prospect of her succession, still entertained hopes of obtaining at last a peaceable and a safe redress of all their grievances But when a son was born to the king, both the prince and the English nation were reduced to despair, and saw no resource but in a confederacy for their mutual interests And thus the event, which James had so long made the object of his most ardent prayers, and from which he expected the firm establishment of his throne, proved the immediate cause of his ruin and downfall

Zuytlestein, who had been sent over to congratulate the king on the birth of a son, brought back to the prince invitations from most of the great men in England, to assist them, by his arms, in the recovery of their laws and liberties The Bishop of London, the Earls of Danby, Nottingham, Devonshire, Dorset, the Duke of Norfolk, the Lords Lovelace, Delamere, Paulet, Eland, Mr. Hampden, Powle, Lester, besides many eminent citizens of London, all these persons, though of opposite parties, concurred in their applications to the prince. The whigs, suitably to their ancient principles of liberty, which had led them to attempt the exclusion bill, easily agreed to oppose the king, whose conduct had justified whatever his worst enemies had

¹ D'Avaux, Sept 14, 24, Oct 8, 15, 1688

prognosticated concerning his succession. The tories and the Church party, finding their past services forgotten, their rights invaded, their religion threatened, agreed to drop, for the present, all over-strained doctrines of submission, and attend to the great and powerful dictates of nature. The nonconformists, dreading the caresses of known and inveterate enemies, deemed the offers of toleration more secure from a prince educated in those principles and accustomed to that practice. And thus all faction was for a time laid asleep in England; and rival parties, forgetting their animosity, had secretly concurred in a design of resisting their unhappy and misguided sovereign. The Earl of Shrewsbury, who had acquired great popularity by deserting, at this time, the catholic religion, in which he had been educated, left his regiment, mortgaged his estate for 40,000*l*, and made a tender of his sword and purse to the Prince of Orange. Lord Wharton, notwithstanding his age and infirmities, had taken a journey for the same purpose. Lord Mordaunt was at the Hague, and pushed on the enterprise with that aident and courageous spirit for which he was so eminent. Even Sunderland, the king's favourite minister, is believed to have entered into a correspondence with the prince, and at the expense of his own honour and his master's interests, to have secretly favoured a cause which he foresaw was likely soon to predominate.¹

The prince was easily engaged to yield to the applications of the English, and to embrace the defence of a nation which, during its present fears and distresses, regarded him as its sole protector. The great object of his ambition was to be placed at the head of a confederate army, and by his valour to avenge the injuries which he himself, his country, and his allies, had sustained from the haughty Lewis. But while England remained under the present government, he despaired of ever forming a league which would be able, with any probability of success, to make opposition against that powerful monarch. The ties of affinity could not be supposed to have great influence over a person of the prince's rank and temper much more, as he knew, that they were at first unwillingly contracted by the king, and had never since been cultivated by any essential favours or good offices. Or should any reproach remain upon him for violating the duties of private life, the glory of delivering oppressed nations would, he hoped, be able, in the eyes of reasonable men, to make ample compensation. He could not well expect, on the commencement of his enterprise, that it would lead him to mount the throne of England. but he undoubtedly foresaw, that its success would establish his authority in that kingdom. And so egregious was James's temerity, that there was no advantage so great or obvious which that prince's indiscretion might not afford his enemies.

The Prince of Orange, throughout his whole life, was peculiarly happy in the situations in which he was placed. He saved his own country from ruin, he restored the liberties of these kingdoms, he supported the general independence of Europe. And thus, though his virtue it is confessed, be not the purest which we meet with in history, it will be difficult to find any person, whose actions and conduct have

¹ Devaux was always of that opinion ('Negotiations,' May 6, 20, Sept 18, 27, Nov 22, 1688). On the whole, that opinion is the most probable.

contributed more eminently to the general interests of society and of mankind.

The time when the prince entered on his enterprise, was well chosen, as the people were then in the highest ferment on account of the insult which the imprisonment and trial of the bishops had put upon the Church, and indeed upon all the protestants of the nation. His method of conducting his preparations was no less wise and politic. Under other pretences he had beforehand made considerable augmentations to the Dutch navy, and the ships were at that time lying in harbour. Some additional troops were also levied; and sums of money, raised for other purposes, were diverted by the prince to the use of this expedition. The States had given him their entire confidence, and partly from terror of the power of France, partly from disgust at some restraints laid on their commerce in that kingdom, were sensible how necessary success in this enterprise was become to their domestic happiness and security. Many of the neighbouring princes regarded him as their guardian and protector, and were guided by him in all their counsels. He held conferences with Castanaga, governor of the Spanish Netherlands, with the electors of Brandenburg and Saxony, with the Landgrave of Hesse-Cassel, and with the whole house of Lunenburg. It was agreed that these princes should replace the troops employed against England, and should protect the United Provinces during the absence of the Prince of Orange. Their forces were already on the march for that purpose. A considerable encampment of the Dutch army was formed at Nimeguen every place was in movement, and though the roots of this conspiracy reached from one end of Europe to the other, so secret were the prince's counsels, and so fortunate was the situation of affairs, that he could still cover his preparations under other pretences, and little suspicion was entertained of his real intentions.

The king of France, menaced by the league of Augsbourg, had resolved to strike the first blow against the allies. And having sought a quarrel with the Emperor and the Elector Palatine, he had invaded Germany with a great army, and had laid siege to Philipsbourg. The Elector of Cologne, who was also Bishop of Liege and Munster, and whose territories almost entirely surrounded the United Provinces, had died about this time, and the candidates for that rich succession were Prince Clement of Bavaria, supported by the house of Austria, and the Cardinal of Furstemberg, a prelate dependant on France. The pope, who favoured the allies, was able to throw the balance between the parties, and Prince Clement was chosen, a circumstance which contributed extremely to the security of the States. But as the cardinal kept possession of many of the fortresses, and had applied to France for succour, the neighbouring territories were full of troops, and by this means the preparations of the Dutch and their allies seemed intended merely for their own defence against the different enterprizes of Lewis.

All the artifices, however, of the prince could not entirely conceal his real intentions from the sagacity of the French court. D'Avaux, Lewis's envoy at the Hague, had been able, by a comparison of cir-

cumstances, to trace the purposes of the preparations in Holland; and he instantly informed his master of the discovery. Lewis conveyed the intelligence to James, and accompanied the information with an important offer. He was willing to join a squadron of French ships to the English fleet, and to send over any number of troops which James should judge requisite for his security. When this proposal was rejected, he again offered to raise the siege of Philipsbourg, to march his army into the Netherlands, and by the terror of his arms to detain the Dutch forces in their own country. This proposal met with no better reception.

James was not, as yet, entirely convinced that his son-in-law intended an invasion upon England. Fully persuaded himself of the sacredness of his own authority, he fancied that a like belief had made deep impression on his subjects, and notwithstanding the strong symptoms of discontent which broke out everywhere, such an universal combination in rebellion appeared to him no wise credible. His army, in which he trusted, and which he had considerably augmented, would easily be able, he thought, to repel foreign force, and to suppress any sedition among the populace. A small number of French troops, joined to these, might tend only to breed discontent, and afford them a pretence for mutinying against foreigners, so much feared and hated by the nation. A great body of auxiliaries might indeed secure him both against an invasion from Holland, and against the rebellion of his own subjects; but would be able afterwards to reduce him to dependance, and render his authority entirely precarious. Even the French invasion of the Low Countries might be attended with dangerous consequences, and would suffice, in these jealous times, to revive the old suspicion of a combination against Holland, and against the protestant religion; a suspicion, which had already produced such discontents in England. These were the views suggested by Sunderland; and it must be confessed that the reasons on which they were founded were sufficiently plausible; as indeed the situation, to which the king had reduced himself, was, to the last degree, delicate and perplexing.

Still Lewis was unwilling to abandon a friend and ally, whose interests he regarded as closely connected with his own. By the suggestion of Skelton, the king's minister at Paris, orders were sent to D'Avaux to remonstrate with the states, in Lewis's name, against those preparations which they were making to invade England. The strict amity, said the French minister, which subsists between the two monarchs will make Lewis regard every attempt against his ally as an act of hostility against himself. This remonstrance had a bad effect, and put the States in a flame. What is this alliance, they asked, between France and England, which has been so carefully concealed from us? Is it of the same nature with the former, meant for our destruction, and for the extirpation of the protestant religion? If so, it is high time for us to provide for our own defence, and to anticipate these projects which are forming against us.

Even James was displeased with this officious step taken by Lewis for his service. He was not reduced, he said, to the condition of the cardinal of Furstemberg, and obliged to seek the protection of France.

He recalled Skelton, and threw him into the Tower for his rash conduct. He solemnly disavowed D'Avaux's memorial, and protested, that no alliance subsisted between him and Lewis, but what was public and known to all the world. The States, however, still affected to appear incredulous on that head,¹ and the English, prepossessed against their sovereign, firmly believed, that he had concerted a project with Lewis for their entire subjection. Portsmouth, it was said, was to be put into the hands of that ambitious monarch. England was to be filled with French and Irish troops and every man, who refused to embrace the Romish superstition, was by these bigoted princes devoted to certain destruction.

These suggestions were everywhere spread abroad, and tended to augment the discontent, of which both the fleet and army, as well as the people, betrayed every day the most evident symptoms. The fleet had begun to mutiny; because Strickland, the admiral, a Roman catholic, introduced the mass aboard his ship, and dismissed the protestant chaplain. It was with some difficulty the seamen could be appeased, and they still persisted in declaring, that they would not fight against the Dutch, whom they called friends and brethren, but would willingly give battle to the French, whom they regarded as national enemies. The king had intended to augment his army with Irish recruits, and he resolved to try the experiment on the regiment of the Duke of Berwick, his natural son but Beaumont, the lieutenant-colonel, refused to admit them, and to this opposition five captains steadily adhered. They were all cashiered, and had not the discontent of the army on this occasion become very apparent, it was resolved to punish those officers for mutiny.

The king made a trial of the dispositions of his army, in a manner still more undisguised. Finding opposition from all the civil and ecclesiastical orders of the kingdom, he resolved to appeal to the military, who, if unanimous, were able alone to serve all his purposes, and to enforce universal obedience. His intention was to engage all the regiments, one after another, to give their consent to the repeal of the test and penal statutes; and accordingly, the major of Litchfield's drew out the battalion before the king, and told them, that they were required either to enter into his majesty's views in these particulars, or to lay down their arms. James was surprised to find, that, two captains, and a few popish soldiers excepted, the whole battalion immediately embraced the latter part of the alternative. For some time he remained speechless, but having recovered from his astonishment, he commanded them to take up their arms; adding with a sullen, discontented air, 'That for the future, he would not do them the honour to apply for their approbation.'

While the king was dismayed with these symptoms of general disaffection, he received (Sep 23) a letter from the Marquess of Albeville, his minister at the Hague, which informed him with certainty, that he was soon to look for a powerful invasion from Holland, and that

¹ That there really was no new alliance formed betwixt France and England, appears both from Sunderland's 'Apology' and D'Avaux's 'Negotiations,' lately published (vol iv p 18, English translations, Sept 27, 1687, March 16, May 6, Aug 10, Sept 2, 23, 24, October 5, 7, November 11, 1688)

pensionary Fagel had at length acknowledged, that the scope of all the Dutch naval preparations was to transport forces into England. Though James could reasonably expect no other intelligence, he was astonished at the news • he grew pale, and the letter dropped from his hand • his eyes were now opened, and he found himself on the brink of a frightful precipice, which his delusions had hitherto concealed from him • His ministers and counsellors, equally astonished, saw no resource but in a sudden and precipitate retraction of all those fatal measures by which he had created to himself so many enemies, foreign and domestic • He paid court to the Dutch, and offered to enter into any alliance with them for common security • he replaced in all the counties the deputy-lieutenants and justices, who had been deprived of their commissions for their adherence to the test and the penal laws • he restored the charters of London, and of all the corporations • he annulled the court of ecclesiastical commission • he took off the bishop of London's suspension • he reinstated the expelled president and fellows of Magdalen College • and he was even reduced to caress those bishops whom he had so lately prosecuted and insulted • All these measures were regarded as symptoms of fear, not of repentance • The bishops, instead of promising succour, or suggesting comfort, recapitulated to him all the instances of his mal-administration, and advised him thenceforwards to follow more salutary counsel • And as intelligence arrived of a great disaster which had befallen the Dutch fleet, it is commonly believed, that the king recalled, for some time, the concessions which he had made to Magdalen College • a bad sign of his sincerity in his other concessions • Nay, so prevalent were his unfortunate prepossessions, that, amidst all his present distresses, he could not forbear, at the baptism of the young prince, appointing the pope to be one of the godfathers •

The report, that a supposititious child was to be imposed on the nation, had been widely spread, and greedily received, before the birth of the Prince of Wales • but the king, who, without seeming to take notice of the matter, might easily have quashed that ridiculous rumour, had, from an ill-timed haughtiness, totally neglected it • He disdained, he said, to satisfy those who could deem him capable of so base and villanous an action • Finding that the calumny gained ground, and had made deep impression on his subjects, he was now obliged to submit to the mortifying task of ascertaining the reality of the birth • Though no particular attention had been beforehand given to ensure proof, the evidence, both of the queen's pregnancy and delivery was rendered indisputable ; and so much the more, as no argument or proof of any importance, nothing but popular rumour and surmise, could be thrown into the opposite scale •

Meanwhile, the Prince of Orange's declaration was dispersed over the kingdom, and met with universal approbation • All the grievances of the nation were there enumerated • the dispensing and suspending power, the court of ecclesiastical commission ; the filling of all offices with catholics, and the raising of a Jesuit to be privy-counsellor, the open encouragement given to popery, by building every where churches, colleges, and seminaries for that sect ; the displacing of judges, if they refused to give sentence according to orders received

from court, the annulling of the charters of all the corporations, and the subjecting of elections to arbitrary will and pleasure, the treating of petitions, even the most modest, and from persons of the highest rank, as criminal and seditious, the committing of the whole authority of Ireland, civil and military, into the hands of papists, the assuming of an absolute power over the religion and laws of Scotland, and openly exacting in that kingdom an obedience without reserve, and the violent presumptions against the legitimacy of the Prince of Wales. In order to redress all these grievances, the prince said that he intended to come over to England with an armed force, which might protect him from the king's evil counsellors and that his sole aim was to have a legal and free parliament assembled, who might provide for the safety and liberty of the nation, as well as examine the proofs of the Prince of Wales's legitimacy. No one, he added, could entertain such hard thoughts of him as to imagine, that he had formed any other design than to procure the full and lasting settlement of religion, liberty, and property. The force which he meant to bring with him was totally disproportioned to any views of conquest, and it were absurd to suspect, that so many persons of high rank, both in church and state, would have given him so many solemn invitations for such a pernicious purpose. Though the English ministers, terrified with his enterprize, had pretended to redress some of the grievances complained of, there still remained the foundation of all grievances, that upon which they could in an instant be again erected, an arbitrary and despotic power in the crown. And for this usurpation there was no possible remedy, but by a full declaration of all the rights of the subject in a free parliament.

So well concerted were the prince's measures, that, in three days, above 400 transports were hired, the army quickly fell down the rivers and canals from Nimeguen, the artillery, arms, stores, and horses, were embarked, and the prince (Oct 21) set sail from Helvoet-Sluis, with a fleet of near 500 vessels, and an army of above 14,000 men. He first encountered a storm, which drove him back but his loss being soon repaired, the fleet put to sea under the command of Admiral Herbert, and made sail with a fair wind towards the west of England. The same wind detained the king's fleet in their station near Harwich, and enabled the Dutch to pass the straits of Dover without opposition. Both shores were covered with multitudes of people, who, besides admiring the grandeur of the spectacle, were held in anxious suspense by the prospect of an enterprize, the most important, which, during some ages, had been undertaken in Europe. The prince had a prosperous voyage, and landed his army safely in Torbay on Nov 5, the anniversary of the gunpowder-treason.

The Dutch army marched first to Exeter, and the prince's declaration was there published. That whole county was so terrified with the executions which had ensued upon Monmouth's rebellion, that no one for several days joined the prince. The Bishop of Exeter in a right fled to London, and carried to court intelligence of the invasion. As a reward of his zeal, he received the archbishopric of York, which had long been kept vacant, with an intention, as was universally believed, of bestowing it on some catholic. The first person who

joined the prince was Major Burrington, and he was quickly followed by the gentry of the counties of Devon and Somerset. Sir Ed Seymour made proposals for an association, which every one signed. By degrees, the Earl of Abingdon, Mr Russell, son of the Earl of Bedford, Mr Wharton, Godfrey, Howe came to Exeter. All England was in commotion. Lord Delamere took arms in Cheshire, the Earl of Danby seized York, the Earl of Bath, governor of Plymouth, declared for the prince, the Earl of Devonshire made a like declaration in Derby. The nobility and gentry of Nottinghamshire embraced the same cause; and every day there appeared some effect of that universal combination into which the nation had entered against the measures of the king. Even those who took not the field against him, were able to embarrass and confound his counsels. A petition for a free parliament was signed by twenty-four bishops and peers of the greatest distinction, and was presented to the king. No one thought of opposing or resisting the invader.

But the most dangerous symptom was the disaffection which from the general spirit of the nation, not from any particular reason, had crept into the army. The officers seemed all disposed to prefer the interests of their country and of their religion to those principles of honour and fidelity, which are commonly esteemed the most sacred ties by men of that profession. Lord Colchester, son of the Earl of Rivers, was the first officer that deserted to the prince, and he was attended by a few of his troops. Lord Lovelace made a like effort; but was intercepted by the militia under the Duke of Beaufort, and taken prisoner. Lord Cornbury, son of the Earl of Clarendon, was more successful. He attempted to carry over three regiments of cavalry, and he actually brought a considerable part of them to the prince's quarters. Several officers of distinction informed Faversham, the general, that they could not in conscience fight against the Prince of Orange.

Lord Churchill had been raised from the rank of a page, had been invested with a high command in the army, had been created a peer, and had owed his whole fortune to the king's favour. Yet even he could resolve, during the present extremity, to desert his unhappy master, who had ever reposed entire confidence in him. He carried with him the Duke of Grafton, natural son of the late king, Colonel Berkeley, and some troops of dragoons. This conduct was a signal sacrifice to public virtue of every duty in private life, and required, ever after, the most upright, disinterested, and public spirited behaviour, to render it justifiable.

The king had arrived at Salisbury, the head-quarters of his army, when he received this fatal intelligence. That prince, though a severe enemy, had ever appeared a warm, steady, and sincere friend; and he was extremely shocked with this, as with many other instances of ingratitude, to which he was now exposed. There remained none in whom he could confide. As the whole army had discovered symptoms of discontent, he concluded it full of treachery; and being deserted by those whom he had most favoured and obliged, he no longer expected that others would hazard their lives in his service. During this distraction and perplexity, he (Nov 25, 1688) embraced a sudden resolu-

tion of drawing off his army, and retiring towards London: a measure which could only serve to betray his fears, and provoke farther treachery

But Churchill had prepared a still more mortal blow for his distressed benefactor. His lady and he had an entire ascendant over the family of Prince George of Denmark, and the time now appeared seasonable for overwhelming the unhappy king, who was already staggering with the violent shocks which he had received. Andover was the first stage of James's retreat towards London; and there Prince George, together with the young Duke of Ormond,¹ Sir George Huet, and some other persons of distinction, deserted him in the night-time, and retired to the prince's camp. No sooner had this news reached London, than the Princess Anne, pretending fear of the king's displeasure, withdrew herself in company with the Bishop of London and Lady Churchill. She fled to Nottingham, where the Earl of Dorset received her with great respect, and the gentry of the county quickly formed a troop for her protection.

The late king, in order to gratify the nation, had entrusted the education of his nieces entirely to protestants, and as these princesses were deemed the chief resource of the established religion after their father's defection, great care had been taken to instil into them, from their earliest infancy, the strongest prejudices against popery. During the violence too of such popular currents, as now prevailed in England, all private considerations are commonly lost in the general passion, and the more principle any person possesses, the more apt is he, on such occasions, to neglect and abandon his domestic duties. Though these causes may account for the behaviour of the princess, they had nowise prepared the king to expect so astonishing an event. He burst into tears when the first intelligence of it was conveyed to him. Undoubtedly he foresaw in this incident the total expiration of his royal authority; but the nearer and more intimate concern of a parent laid hold of his heart, when he found himself abandoned in his uttermost distress by a child, and a virtuous child, whom he had ever regarded with the most tender affection. 'God help me,' cried he, in the extremity of his agony, 'my own children have forsaken me!' It is indeed singular, that a prince, whose chief blame consisted in imprudences, and misguided principles, should be exposed, from religious antipathy, to such treatment as even Nero, Domitian, or the most enormous tyrants that have disgraced the records of history, ever met with from their friends and family.

So violent were the prejudices, which at this time prevailed, that this unhappy father, who had been deserted by his favourite child, was believed, upon her disappearing, to have put her to death: and it was fortunate, that the truth was timely discovered, otherwise the populace, even the king's guards themselves, might have been engaged, in revenge, to commence a massacre of the priests and catholics.

The king's fortune now exposed him to the contempt of his enemies; and his behaviour was not such as could gain him the esteem of his friends and adherents. Unable to resist the torrent, he preserved not

¹ His grandfather, the first Duke of Ormond, had died this year, on July 21

presence of mind in yielding to it, but seemed in this emergence as much depressed with adversity, as he had before been vainly elated by prosperity. He called a council of all the peers and prelates who were in London, and followed their advice in issuing writs for a new parliament, and in sending Halifax, Nottingham, and Godolphin as commissioners to treat with the Prince of Orange. But these were the last acts of royal authority which he exerted. He even hearkened to imprudent counsel, by which he was prompted to desert the throne, and to gratify his enemies beyond what their fondest hopes could have promised them.

The queen, observing the fury of the people, and knowing how much she was the object of general hatred, was struck with the deepest terror, and began to apprehend a parliamentary impeachment, from which, she was told, the queens of England were not exempted. The popish courtiers, and above all, the priests, were aware, that they should be the first sacrifice, and that their perpetual banishment was the smallest penalty which they must expect from national resentment. They were, therefore, desirous of carrying the king along with them, whose presence, they knew, would still be some resource and protection to them in foreign countries, and whose restoration, if it ever happened, would again reinstate them in power and authority. The general defection of the protestants made the king regard the catholics, as his only subjects, on whose counsel he could rely, and the fatal catastrophe of his father afforded them a plausible reason for making him apprehend a like fate. The great difference of circumstances was not, during men's present distractions, sufficiently weighed. Even after the people were inflamed by a long civil war, the execution of Charles I could not be deemed a national deed. It was perpetrated by a fanatical army, pushed on by a daring and enthusiastical leader; and the whole kingdom had ever entertained, and did still entertain, a violent abhorrence against that enormity. The situation of public affairs, therefore, no more resembled what it was forty years before, than the Prince of Orange, either in birth, character, fortune, or connections, could be supposed a parallel to Cromwell.

The emissaries of France, and among the rest Barillon, the French ambassador, were busy about the king; and they had entertained a very false notion, which they instilled into him, that nothing would more certainly retard the public settlement, and beget universal confusion, than his deserting the kingdom. The Prince of Orange had with good reason embraced a contrary opinion, and he deemed it extremely difficult to find expedients for securing the nation, so long as the king kept possession of the crown. Actuated, therefore, by this public motive, and no less, we may well presume, by private ambition, he was determined to use every expedient, which might intimidate the king, and make him quit that throne, which he himself was alone enabled to fill. He declined a personal conference with James's commissioners, and sent the Earls of Clarendon and Oxford to treat with them. The terms, which he proposed, implied almost a present participation of the sovereignty, and he stopped not a moment the march of his army towards London.

The news, which the king received from all quarters, served to con-

tinue the panic, into which he was fallen, and which his enemies expected to improve to their advantage. Colonel Copel, deputy governor of Hull, made himself master of that important fortress; and threw into prison Lord Langdale, the governor, a catholic, together with Lord Montgomery, a nobleman of the same religion. The town of Newcastle received Lord Lumley, and declared for the Prince of Orange and a free parliament. The Duke of Norfolk, lord lieutenant of the county of that name, engaged it in the same measure. The prince's declaration was read at Oxford by the Duke of Ormond, and was received with great applause by that loyal university, who also made an offer of plate to the prince. Every day, some person of quality or distinction, and among the rest, the Duke of Somerset, went over to the enemy. A violent declaration was dispersed in the prince's name, but without his participation, in which every one was commanded to seize and punish all papists, who contrary to law, pretended either to carry arms, or exercise any act of authority. It may not be unworthy of notice, that a merry ballad, called 'Lilliballero,' being at this time published in derision of the papists and the Irish, it was greedily received by the people, and was sung by all ranks of men, even by the king's army, who were strongly seized with the national spirit. This incident both discovered, and served to increase, the general discontent of the kingdom.

The contagion of mutiny and disobedience had also reached Scotland, whence the regular forces, contrary to the advice of Balcanias, the treasurer, were withdrawn, in order to reinforce the English army. The Marquess of Athole, together with Viscount Taibet, and others, finding the opportunity favourable, began to form intrigues against Perth, the chancellor, and the presbyterians and other malcontents flocked from all quarters to Edinburgh. The chancellor, apprehensive of the consequences, found it expedient to abscond, and the populace, as if that event were a signal for their insurrection, immediately rose in arms, and rifled the popish chapel in the king's palace. All the catholics, even all the zealous royalists, were obliged to conceal themselves, and the privy council, instead of their former submissive strains of address to the king and violent edicts against their fellow-subjects, now made applications to the Prince of Orange, as the restorer of law and liberty.

The king every moment alarmed, more and more, by these proofs of a general disaffection, not daring to repose trust in any but those who were exposed to more danger than himself, agitated by disdain towards ingratitude, by indignation against disloyalty, impelled by his own fears and those of others, precipitately embraced the resolution of escaping into France, and he sent off beforehand the queen and the infant prince, under the conduct of Count Lauzun, an old favourite of the French monarch. He himself (Dec 12) disappeared in the night-time, attended only by Sir Edward Hales, and made the best of his way to a ship, which waited for him near the mouth of the river. As if this measure had not been the most grateful to his enemies of any that he could adopt, he had carefully concealed his intention from all the world, and nothing could equal the surprise, which seized the city, the court, and the kingdom, upon the discovery of this strange event.

Men beheld, all of a sudden, the reins of government thrown up by the hand which held them, and saw none, who had any right or even pretension, to take possession of them

The more effectually to involve everything in confusion, the king appointed not any one, who should, in his absence, exercise any part of the administration, he threw the great seal into the river; and he recalled all those writs, which had been issued for the election of the new parliament. It is often supposed, that the sole motive which impelled him to this sudden desertion, was his reluctance to meet a free parliament, and his resolution not to submit to those terms, which his subjects would deem requisite for the security of their liberties and their religion. But it must be considered, that his subjects had first deserted him, and entirely lost his confidence; that he might reasonably be supposed to entertain fears for his liberty, if not for his life, and that the conditions would not probably be moderate, which the nation, sensible of his inflexible temper, enraged with the violation of their laws and the danger of their religion, and foreseeing his resentment on account of their past resistance, would, in his present circumstances, exact from him

By this temporary dissolution of government, the populace were masters, and there was no disorder, which, during their present ferment, might not be dreaded from them. They rose in a tumult and destroyed all the mass-houses. They even attacked and ~~ruined~~ ^{rioted} the houses of the Florentine envoy and Spanish ambassador, where many of the catholics had lodged their most valuable effects. Jefferies, the chancellor, who had disguised himself, in order to fly the kingdom, was discovered by them, and so abused, that he died a little after. Even the army which should have suppressed those tumults, would, it was apprehended, serve rather to encrease the general disorder. Faversham had no sooner heard of the king's flight, than he disbanded the troops in the neighbourhood, and without either disarming or paying them, let them loose to prey upon the country.

In this extremity, the bishops and peers, who were in town, being the only remaining authority of the state (for the privy council, composed of the king's creatures, was totally disregarded) thought proper to assemble, and to interpose for the preservation of the community. They chose the Marquess of Halifax speaker. they gave directions to the mayor and aldermen for keeping the peace of the city. they issued orders, which were readily obeyed, to the fleet, the army, and all the garrisons. and they made applications to the Prince of Orange, whose enterprise they highly applauded, and whose success they joyfully congratulated.

The prince, on his part, was not wanting to the tide of success, which flowed in upon him, nor backward in assuming that authority which the present exigency had put into his hands. Besides the general popularity attending his cause, a new incident made his approach to London still more grateful. In the present trepidation of the people, a rumour arose, either from chance or design, that the disbanded Irish had taken arms, and had commenced an universal massacre of the protestants. This ridiculous belief was spread all over the kingdom in one day, and begat every where the deepest conster-

nation. The alarm bells were rung, the beacons fired, men fancied that they saw at a distance the smoke of the burning cities, and heard the groans of those who were slaughtered in their neighbourhood. It is surprising, that the catholics did not all perish, in the rage which naturally succeeds to such popular panics.

While every one, from principle, interest, or animosity, turned his back on the unhappy king, who had abandoned his own cause, the unwelcome news arrived, that he had been seized by the populace at Faversham, as he was making his escape in disguise, that he had been much abused, till he was known, but that the gentry had then interposed and protected him, though they still refused to consent to his escape. This intelligence threw all parties into confusion. The prince sent Zuytlestein with orders, that the king should approach no nearer than Rochester, but the message came too late. He was already arrived in London, where the populace, moved by compassion for his unhappy fate, and actuated by their own levity, had received him with shouts and acclamations.

During the king's abode at Whitehall, little attention was paid to him by the nobility or any persons of distinction. They had, all of them, been previously disgusted on account of his blind partiality to the catholics, and they knew, that they were now become criminal in his eyes, by their late public applications to the Prince of Orange. He himself showed not any symptom of spirit, nor discovered any intention of resuming the reins of government, which he had once thrown aside. His authority was now plainly expunged, and as he had exercised his power, while possessed of it, with very precipitate and haughty counsels, he relinquished it by a despair which was equally precipitate and pusillanimous.

Nothing remained for the now ruling powers but to deliberate how they should dispose of his person. Besides, that the prince may justly be supposed to have possessed more generosity than to think of offering violence to an unhappy monarch, so nearly related to him, he knew that nothing would so effectually promote his own views as the king's retiring into France, a country at all times obnoxious to the English. It was determined, therefore, to push him into that measure, which, of himself, he seemed sufficiently inclined to embrace. The king having sent Lord Faversham on a civil message to the prince, desiring a conference for an accommodation in order to the public settlement, that nobleman was put in arrest, under pretence of his coming without a passport. The Dutch guards were ordered to take possession of Whitehall, where James then resided, and to displace the English and Halifax, Shrewsbury, and Delamere, brought a message from the prince, which they delivered to the king in bed after midnight, ordering him to leave his palace next morning, and to depart for Ham, a seat of the Duchess of Lauderdale's. He desired permission, which was easily granted, of retiring to Rochester, a town near the sea-coast. It was perceived, that the artifice had taken effect, and that the king, terrified with this harsh treatment, had renewed his former resolution of leaving the kingdom.

He lingered, however, some days at Rochester, under the protection of a Dutch guard, and seemed desirous of an invitation still to keep

possession of the throne. He was undoubtedly sensible, that, as he had at first trusted too much to his people's loyalty, and, in confidence of their submission, had offered the greatest violence to their principles and prejudices, so had he, at last, on finding his disappointment, gone too far in the other extreme, and had hastily supposed them destitute of all sense of duty or allegiance. But observing, that the church, the nobility, the city, the country, all concurred in neglecting him, and leaving him to his own counsels, he submitted to his melancholy fate; and being urged by earnest letters from the queen, he privately embarked on board a frigate which waited for him, and (Dec. 23) he arrived safely at Ambleteuse in Picardy, whence he hastened to St. Germain. Lewis received him with the highest generosity, sympathy, and regard, a conduct, which more than his most signal victories, contributes to the honour of that great monarch.

Thus ended the reign of a prince, whom, if we consider his personal character rather than his public conduct, we may safely pronounce more unfortunate than criminal. He had many of those qualities which form a good citizen even some of those which, had they not been swallowed up in bigotry and arbitrary principles, serve to compose a good sovereign. In domestic life his conduct was irreproachable, and is entitled to our approbation. Severe, but open in his enemies, steady in his counsels, diligent in his schemes, brave in his enterprises, faithful, sincere, and honourable in his dealings with all men such was the character with which the Duke of York mounted the throne of England. In that high station, his frugality of public money was remarkable, his industry exemplary, his application to naval affairs successful, his encouragement of trade judicious, his jealousy of national honour laudable what then was wanting to make him an excellent sovereign? A due regard and affection to the religion and constitution of his country. Had he been possessed of this essential quality, even his middling talents, aided by so many virtues, would have rendered his reign honourable and happy. When it was wanting, every excellency, which he possessed, became dangerous and pernicious to his kingdoms.

The sincerity of this prince (a virtue on which he highly valued himself) has been much questioned in those reiterated promises which he had made of preserving the liberties and religion of the nation. It must be confessed, that his reign was almost one continued invasion of both, yet it is known, that, to his last breath, he persisted in asserting, that he never meant to subvert the laws, or procure more than a toleration and an equality of privileges to his catholic subjects. This question can only affect the personal character of the king, not our judgment of his public conduct. Though by a stretch of candour we should admit of his sincerity in these professions, the people were equally justifiable in their resistance of him. So lofty was the idea which he had entertained of his 'legal' authority, that it left his subjects little or no right to liberty, but what was dependent on his sovereign will and pleasure. And such was his zeal for proselytism, that whatever he might at first have intended, he plainly stopped not at toleration and equality he confined all power, encouragement, and favour to the catholics converts from interest would soon have multiplied upon him if not the greater, at least the better part of the people,

he would have flattered himself, was brought over to his religion and he would in a little time have thought it just, as well as pious, to bestow on them all the public establishments. Rigours and persecutions against heretics would speedily have followed, and thus liberty and the protestant religion would in the issue have been totally subverted, though we should not suppose that James, in the commencement of his reign, had formally fixed a plan for that purpose. And, on the whole, allowing this king to have possessed good qualities and good intentions, his conduct serves only, on that very account, as a stronger proof, how dangerous it is to allow any prince, infected with the catholic superstition, to wear the crown of these kingdoms.

After this manner, the courage and abilities of the Prince of Orange, seconded by surprising fortune, had effected the deliverance of this island; and with very little effusion of blood (for only one officer of the Dutch army and a few private soldiers fell in an accidental skirmish) had dethroned a great prince, supported by a formidable fleet and a numerous army. Still the more difficult task remained, and what perhaps the prince regarded as not the least important the obtaining for himself that crown, which had fallen from the head of his father-in-law. Some lawyers, entangled in the subtleties and forms of their profession, could think of no expedient, but that the prince should claim the crown by right of conquest, should immediately assume the title of sovereign, and should call a parliament, which, being thus legally summoned by a king in possession, could ratify whatever had been transacted before they assembled. But this measure, being destructive of the principles of liberty, the only principles on which his future throne could be established, was prudently rejected by the prince, who, finding himself possessed of the goodwill of the nation, resolved to leave them entirely to their own guidance and direction. The peers and bishops, to the number of near ninety, made an address, desiring him to summon a convention by circular letters; to assume, in the mean time, the management of public affairs, and to concert measures for the security of Ireland. At the same time, they refused reading a letter, which the king had left, in order to apologize for his late desertion, by the violence which had been put upon him. This step was a sufficient indication of their intentions with regard to that unhappy monarch.

The prince seemed still unwilling to act upon an authority, which might be deemed so imperfect: he was desirous of obtaining a more express declaration of the public consent. A judicious expedient was fallen on for that purpose. All the members, who had sat in the house of commons during any parliament of Charles II (the only parliaments whose election was regarded as free) were invited to meet, and to them were added the mayor, aldermen, and fifty of the common council. This was regarded as the most proper representative of the people that could be summoned during the present emergence. They unanimously voted the same address with the lords and the prince, being thus supported by all the legal authority which could possibly be obtained in this critical juncture, wrote circular letters to the counties and corporations of England, and his orders were universally complied with. A profound tranquillity prevailed throughout the

kingdom; and the prince's administration was submitted to, as if he had succeeded in the most regular manner to the vacant throne. The fleet received his orders: the army, without murmur or opposition, allowed him to new-model them: and the city supplied him with a loan of two hundred thousand pounds.

The conduct of the prince, with regard to Scotland, was founded on the same prudent and moderate maxims. Finding, that there were many Scotchmen of rank at that time in London, he (Jan. 7, 1689) summoned them together, laid before them his intentions, and asked their advice in the present emergency. This assembly, consisting of thirty noblemen, and about fourscore gentlemen, chose Duke Hamilton president, a man, who, being of a temporizing character, was determined to pay court to the present authority. His eldest son, the Earl of Arrian, professed an adherence to King James, a usual policy in Scotland, where the father and son, during civil commotions, were often observed to take opposite sides, in order to secure, in all events, the family from attainer. Arran proposed to invite back the king upon conditions, but as he was vehemently opposed in this motion by Sir Patrick Hume, and seconded by nobody, the assembly made an offer to the prince of the present administration, which he willingly accepted. To anticipate a little in our narration; a convention, by circular letters from the prince, was summoned at Edinburgh, on March 22; where it was soon visible, that the interest of the malcontents would entirely prevail. The more zealous royalists, regarding this assembly as illegal, had forborn to appear at elections; and the other party were returned for most places. The revolution was not, in Scotland, as in England, effected by a coalition of whig and tory: the former party alone had overpowered the government, and were too much enraged by the past injuries which they had suffered, to admit of any composition with their former masters. As soon as the purpose of the convention was discovered, the Earl of Balcarras and Viscount Dundee, leaders of the tories, withdrew from Edinburgh; and the convention having passed a bold and decisive vote, that King James, by his mal-administration and his abuse of power, had 'forfeited' all title to the crown, they made a tender of the royal dignity to the Prince and Princess of Orange.

The English convention (Jan. 22, 1689) was assembled, and it immediately appeared, that the house of commons, both from the prevailing humour of the people, and from the influence of present authority, were mostly chosen from among the whig party. After thanks were unanimously given by both houses to the Prince of Orange, for the deliverance which he had brought them, a less decisive vote than that of the Scottish convention, was in a few days passed by a great majority of the commons, and sent up to the peers for their concurrence. It was contained in these words: 'That King James II. having endeavoured to subvert the constitution of the kingdom, by breaking the original contract between king and people; and having, by the advice of jesuits and other wicked persons, violated the fundamental laws, and withdrawn himself out of the kingdom, has abdicated the government, and that the throne is thereby vacant.' This

vote, when carried to the upper*house, met with great opposition; of which it is here necessary for us to explain the causes.

The tories and the high-church party, finding themselves at once menaced with a subversion of the laws and of their religion, had zealously promoted the national revolt, and had on this occasion departed from those principles of non-resistance, of which, while the king favoured them, they had formerly made such loud professions. Their present apprehensions had prevailed over their political tenets, and the unfortunate James, who had too much trusted to those general declarations which never will be reduced to practice, found in the issue, that both parties were secretly united against him. But no sooner was the danger past, and the general fears somewhat allayed, than party prejudices resumed, in some degree, their former authority; and the tories were abashed at that victory, which their antagonists, during the late transactions, had obtained over them. They were inclined, therefore, to steer a middle course, and, though generally determined to oppose the king's return, they resolved not to consent to dethroning him, or altering the line of succession. A regent with kingly power was the expedient which they proposed, and a late instance in Portugal seemed to give some authority and precedent to that plan of government.

In favour of this scheme the tories urged, that, by the uniform tenor of the English laws, the title to the crown was ever regarded as sacred, and could, on no account, and by no mal-administration, be forfeited by the sovereign: that to dethrone a king and to elect his successor, was a practice quite unknown to the constitution, and had a tendency to render kingly power entirely dependent and precarious: that where the sovereign, from his tender years, from lunacy, or from other natural infirmity, was incapacitated to hold the reins of government, both the laws and former practice agreed in appointing a regent, who, during the interval, was invested with the whole power of the administration: that the inveterate and dangerous prejudices of King James had rendered him as unfit to sway the English scepter, as if he had fallen into lunacy, and it was therefore natural for the people to have recourse to the same remedy: that the election of one king was a precedent for the election of another, and the government, by that means, would either degenerate into a republic, or, what was worse, into a turbulent and seditious monarchy: that the case was still more dangerous, if there remained a prince, who claimed the crown by right of succession, and disputed, on so plausible a ground, the title of the present sovereign: that though the doctrine of non-resistance might not, in every possible circumstance, be absolutely true, yet was the belief of it very expedient, and to establish a government, which should have the contrary principle for its basis, was to lay a foundation for perpetual revolutions and convulsions: that the appointment of a regent was indeed exposed to many inconveniences, but so long as the line of succession was preserved entire, there was still a prospect of putting an end, some time or other, to the public disorders: and that scarcely an instance occurred in history, especially in the English history, where a disputed title had not, in the issue, been attended

with much greater ills, than all those which the people had sought to shun, by departing from the lineal successor.

The leaders of the whig party, on the other hand, asserted, that, if there were any ill in the precedent, that ill would result as much from establishing a regent, as from dethroning one king, and appointing his successor, nor would the one expedient, if wantonly and rashly embraced by the people, be less the source of public convulsions than the other that if the laws gave no express permission to depose the sovereign, neither did they authorise resisting his authority, or separating the power from the title; that a regent was unknown, except where the king, by reason of his tender age or his infirmities, was incapable of a will, and in that case, his will was supposed to be involved in that of the regent that it would be the height of absurdity to try a man for acting upon a commission, received from a prince, whom we ourselves acknowledge to be the lawful sovereign, and no jury would decide so contrary both to law and common sense, as to condemn such a pretended criminal that even the prospect of being delivered from this monstrous inconvenience was, in the present situation of affairs, more distant than that of putting an end to a disputed succession that allowing the young prince to be the legitimate heir, he had been carried abroad, he would be educated in principles destructive of the constitution and established religion; and he would probably leave a son, liable to the same insuperable objection that if the whole line were cut off by law, the people would in time forget or neglect their claim; an advantage which could not be hoped for, while the administration was conducted in their name, and while they were still acknowledged to possess the legal title and that a nation, thus perpetually governed by regents or protectors, approached much nearer to a republic than one subject to monarchs, whose hereditary regular succession, as well as present authority, was fixed and appointed by the people

This question was agitated with great zeal by the opposite parties in the house of peers. The chief speakers among the tories were Clarendon, Rochester, and Nottingham, among the whigs, Halifax and Danby. The question was carried for a king by two voices only, fifty-one against forty-nine. All the prelates, except two, the bishops of London and Bristol, voted for a regent. The primate, a disinterested but pusillanimous man, kept at a distance, both from the prince's court and from parliament.

The house of peers proceeded next to examine piecemeal the vote sent up to them by the commons. They debated, 'Whether there were an original contract between king and people?' and the affirmative was carried by fifty-three against forty-six, a proof that the tories were already losing ground. The next question was, 'Whether King James had broken that original contract?' and, after a slight opposition, the affirmative prevailed. The lords proceeded to take into consideration the word 'abdicated,' and it was carried that 'deserted' was more proper. The concluding question was, 'Whether King James having broken the original contract, and "deserted" the government, the throne was thereby vacant?' This question was debated with more heat and contention than any of the former; and upon a division, the tories prevailed by eleven voices, and it was

carried to omit the last article, with regard to the vacancy of the throne. The vote was sent to the commons with these amendments

The Earl of Danby had entertained the project of bestowing the crown solely upon the Princess of Orange, and of admitting her as hereditary legal successor to King James, passing by the infant prince, as illegitimate or supposititious. His change of party in the last question gave the tories so considerable a majority in the number of voices.

The commons still insisted on their own vote, and sent up reasons why the lords should depart from their amendments. The lords were not convinced, and it was necessary to have a free conference, in order to settle this controversy. Never surely was national debate more important, or managed by more able speakers, yet is one surprised to find the topics insisted on by both sides so frivolous; more resembling the verbal disputes of the schools, than the solid reasonings of statesmen and legislators. In public transactions of such consequence, the true motives which produce any measure are seldom avowed. The whigs, now the ruling party, having united with the tories, in order to bring about the revolution, had so much deference for their new allies, as not to insist that the crown should be declared 'forfeited,' on account of the king's mal-administration. Such a declaration, they thought, would imply too express a censure of the old tory principles, and too open a preference of their own. They agreed, therefore, to confound together the king's abusing his power, and his withdrawing from the kingdom; and they called the whole an 'abdication,' as if he had given a virtual, though not a verbal, consent to dethroning himself. The tories took advantage of this obvious impropriety, which had been occasioned merely by the complaisance or prudence of the whigs, and they insisted upon the word 'desertion,' as more significant and intelligible. It was retorted on them, that however that expression might be justly applied to the king's withdrawing himself, it could not, with any propriety, be extended to his violation of the fundamental laws. And thus both parties, while they warped their principles from regard to their antagonists, and from prudential considerations, lost the praise of consistence and uniformity.

The managers for the lords next insisted, that, even allowing the king's abuse of power to be equivalent to an abdication, or, in other words, to a civil death, it could operate no otherwise than his voluntary resignation, or his natural death, and could only make way for the next successor. It was a maxim of English law, 'that the throne 'was never vacant;' but instantly, upon the demise of one king, was filled with his legal heir, who was entitled to all the authority of his predecessor. And however young or unfit for government the successor, however unfortunate in his situation, though he were even a captive in the hands of public enemies, yet no just reason, they thought, could be assigned, why, without any default of his own, he should lose a crown, to which, by birth, he was fully entitled. The managers for the commons might have opposed this reasoning by many specious, and even solid arguments. They might have said, that the great security for allegiance being merely opinion, any scheme of settlement should be adopted, in which, it was most probable, the

people would acquiesce and persevere . that though, upon the natural death of a king, whose administration had been agreeable to the laws, many and great inconveniences would be endured, rather than exclude his lineal successor, yet the case was not the same, when the people had been obliged, by their revolt, to dethrone a prince, whose illegal measures had, in every circumstance, violated the constitution . that, in these extraordinary revolutions, the government reverted, in some degree, to its first principles, and the community acquired a right of providing for the public interest by expedients which, on other occasions, might be deemed violent and irregular that the recent use of one extraordinary remedy reconciled the people to the practice of another, and more familiarized their minds to such licences, than if the government had run on in its usual tenor and that King James, having carried abroad his son, as well as withdrawn himself, had given such just provocation to the kingdom, had voluntarily involved it in such difficulties, that the interests of his family were justly sacrificed to the public settlement and tranquillity. Though these topics seem reasonable, they were entirely forborne by the whig managers; both because they implied an acknowledgment of the infant prince's legitimacy, which it was agreed to keep in obscurity, and because they contained too express a condemnation of tory principles . They were content to maintain the vote of the commons by shifts and ~~maneuvers~~; and both sides parted at last without coming to any agreement.

But it was impossible for the public to remain long in the present situation. The perseverance, therefore, of the lower house obliged the lords to comply, and, by the desertion of some peers to the whig party, the vote of the commons, without any alteration, passed by a majority of fifteen in the upper house, and received the sanction of every part of the legislature which then subsisted.

It happens unluckily for those who maintain an original contract between the magistrate and people, that great revolutions of government, and new settlements of civil constitutions, are commonly conducted with such violence, tumult, and disorder, that the public voice can scarcely ever be heard, and the opinions of the citizens are at that time less attended to than even in the common course of administration . The present transactions in England, it must be confessed, are a singular exception to this observation. The new elections had been carried on with great tranquillity and freedom the prince had ordered the troops to depart from all the towns where the voters assembled . a tumultuary petition to the two houses having been promoted, he took care, though the petition was calculated for his advantage, effectually to suppress it . he entered into no intrigues, either with the electors or the members . he kept himself in a total silence, as if he had been nowise concerned in these transactions and, so far from forming cabals with the leaders of parties, he disdained even to bestow caresses on those whose assistance might be useful to him. This conduct was highly meritorious, and discovered great moderation and magnanimity , even though the prince unfortunately, through the whole course of his life, and on every occasion, was noted for an address so cold, dry, and distant, that it was very difficult for him, on account of any interest, to soften or familiarize it.

At length, the prince deigned to break silence, and to express, though in a private manner, his sentiments on the present situation of affairs. He called together Halifax, Shrewsbury, Danby, and a few more; and he told them, that, having been invited over to restore their liberty, he had engaged in this enterprize, and had at last happily effected his purpose. That it belonged to the parliament, now chosen and assembled with freedom, to concert measures for the public settlement; and he pretended not to interpose in their determinations. That he heard of several schemes proposed for establishing the government: some insisted on a regent, others were desirous of bestowing the crown on the princess: it was their concern alone to choose the plan of administration most agreeable or advantageous to them. That if they judged it proper to settle a regent, he had no objection: he only thought it incumbent on him to inform them, that he was determined not to be the regent, nor ever to engage in a scheme, which, he knew, would be exposed to such insuperable difficulties. That no man could have a juster or deeper sense of the princess's merit than he was impressed with, but he would rather remain a private person than enjoy a crown, which must depend on the will or life of another. And that they must therefore make account, if they were inclined to either of these two plans of settlement, that it would be ~~be out of~~ out of his power to assist them in carrying it into execution, his affairs abroad were too important to be abandoned for so precarious a dignity, or even to allow him so much leisure as would be requisite to introduce order into their disjointed government.

These views of the prince were seconded by the princess herself, who, as she possessed many virtues, was a most obsequious wife to a husband, who, in the judgment of the generality of her sex, would have appeared so little attractive and amiable. All considerations were neglected, when they came in competition with what she deemed her duty to the prince. When Danby and others of her partizans wrote her an account of their schemes and proceedings, she expressed great displeasure; and even transmitted their letters to her husband, as a sacrifice to conjugal fidelity. The Princess Anne also concurred in the same plan for the public settlement, and being promised an ample revenue, was content to be postponed in the succession to the crown. And as the title of her infant brother was, in the present establishment, entirely neglected, she might, on the whole, deem herself, in point of interest, a gainer by this revolution.

The chief parties, therefore, being agreed, the convention passed a bill, in which they settled the crown on the Prince and Princess of Orange, the sole administration to remain in the prince: the Princess of Denmark to succeed after the death of the Prince and Princess of Orange, her posterity after those of the princess, but before those of the prince by any other wife. The convention annexed to this settlement of the crown a declaration of rights, where all the points which had, of late years, been disputed between the king and people, were finally determined; and the powers of royal prerogative were more narrowly circumscribed and more exactly defined, than in any former period of the English government.

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Thus have we seen, through the course of four reigns, a continual struggle maintained between the crown and the people privilege and prerogative were ever at variance and both parties, besides the present objects of dispute, had many latent claims, which, on a favourable occasion, they produced against their adversaries Governments too steady and uniform, as they are seldom free, so are they, in the judgment of some, attended with another sensible inconvenience they abate the active powers of men, depress courage, invention, and genius, and produce an universal lethargy in the people Though this opinion may be just, the fluctuation and contest, it must be allowed, of the English government were, during these reigns, much too violent both for the repose and safety of the people Foreign affairs, at that time, were either entirely neglected, or managed to pernicious purposes and in the domestic administration there was felt a continued fever, either secret or manifest, sometimes the most furious convulsions and disorders The revolution forms a new epoch in the constitution, and was probably attended with consequences more advantageous to the people, than barely freeing them from an exceptional administration By deciding many important questions in favour of liberty, and still more, by that great precedent of deposing one king, and establishing a new family, it gave such an ascendant to popular principles, as has put the nature of the English constitution beyond all controversy And it may justly be affirmed, without any danger of exaggeration, that we, in this island, have ever since enjoyed, if not the best system of government, at least the most entire system of liberty, that ever was known amongst mankind

To decry with such violence, as is affected by some, the whole line of Stuart, to maintain, that their administration was one continued encroachment on the 'incontestable' rights of the people, is not giving due honour to that great event, which not only put a period to their hereditary succession, but made a new settlement of the whole constitution The inconveniences, suffered by the people under the two first reigns of that family (for in the main they were fortunate), proceeded in a great measure from the unavoidable situation of affairs, and scarcely anything could have prevented those events, but such vigour of genius in the sovereign, attended with such good fortune, as might have enabled him entirely to overpower the liberties of his people. While the parliaments, in those reigns, were taking advantage of the necessities of the prince, and attempting every session to abolish, or circumscribe, or define, some prerogative of the crown, and innovate in the usual tenor of government. what could be expected, but that the prince would exert himself in defending, against such inveterate enemies, an authority, which, during the most regular course of the former English government, had been exercised without dispute or controversy? And though Charles II in 1672, may with reason be deemed the aggressor, nor is it possible to justify his conduct, yet were there some motives, surely, which could engage a prince so soft and indolent, and at the same time so judicious, to attempt such hazardous enterprises He felt, that public affairs had reached a situation, at which they could not possibly remain without some further innovation. Frequent parliaments were become almost absolutely

necessary to the conducting of public business, yet these assemblies were still, in the judgment of the royalists, much inferior in dignity to the sovereign, whom they seemed better calculated to counsel than control. The crown still possessed considerable power of opposing parliaments, and had not as yet acquired the means of influencing them. Hence a continual jealousy between these parts of the legislature, hence the inclination mutually to take advantage of each other's necessities, hence the impossibility under which the king lay, of finding ministers, who could at once be serviceable and faithful to him. If he followed his own choice in appointing his servants, without regard to their parliamentary interest, a refractory session was instantly to be expected. If he chose them from among the leaders of popular assemblies, they either lost their influence with the people by adhering to the crown, or they betrayed the crown in order to preserve their influence. Neither Hampden, whom Charles I was willing to gain at any price, nor Shaftesbury, whom Charles II after the popish plot attempted to engage in his counsels, would renounce their popularity for the precarious and, as they esteemed it, deceitful favour of the prince. The root of their authority they still thought to lie in the parliament, and as the power of that assembly was not yet uncontrollable, they still resolved to augment it, though at the expense of the royal prerogatives.

It is no wonder that these events have long, by the representations of faction, been extremely clouded and obscured. No man has yet arisen, who has paid an entire regard to truth, and has dared to expose her, without covering or disguise, to the eyes of the prejudiced public. Even that party amongst us, which boasts of the highest regard to liberty, has not possessed sufficient liberty of thought in this particular; nor has been able to decide impartially of their own merit, compared with that of their antagonists. More noble perhaps in their ends, and highly beneficial to mankind, they must also be allowed to have often been less justifiable in the means, and in many of their enterprises to have paid more regard to political than to moral considerations. Obligated to court the favour of the populace, they found it necessary to comply with their rage and folly, and have even, on many occasions, by propagating calumnies, and by promoting violence, served to infatuate, as well as corrupt that people, to whom they made a tender of liberty and justice. Charles I was a tyrant, a papist, and a contriver of the Irish massacre. The Church of England was relapsing fast into idolatry. Puritanism was the only true religion, and the covenant the favourite object of heavenly regard. Through these delusions, the party proceeded, and, what may seem wonderful, still to the increase of law and liberty, till they reached the imposture of the popish plot, a fiction which exceeds the ordinary bounds of vulgar credulity. But however singular these events may appear, there is really nothing altogether new in any period of modern history. And it is remarkable, that tribunitian arts, though sometimes useful in a free constitution, have usually been such as men of probity and honour could not bring themselves either to practise or approve. The other faction, which, since the revolution, has been obliged to cultivate popularity, sometimes found it necessary to employ like artifices.

The whig party, for a course of near seventy years, has, almost without interruption, enjoyed the whole authority of government; and no honours or offices could be obtained but by their countenance and protection. But this event, which, in some particulars, has been advantageous to the state, has proved destructive to the truth of history, and has established many gross falsehoods, which it is unaccountable how any civilised nation could have embraced with regard to its domestic occurrences. Compositions the most despicable, both for style and matter, have been extolled, and propagated, and read; as if they had equalled the most celebrated remains of antiquity.¹ And forgetting that a regard to liberty, though a laudable passion, ought commonly to be subordinate to a reverence for established government, the prevailing faction has celebrated only the partizans of the former, who pursued as their object the perfection of civil society, and has extolled them at the expense of their antagonists, who maintained those maxims that are essential to its very existence. But extremes of all kinds are to be avoided, and though no one will ever please either faction by moderate opinions, it is there we are most likely to meet with truth and certainty.

We shall subjoin to this general view of the English government, some account of the state of the finances, arms, trade, manners, arts, between the restoration and revolution.

The revenue of Charles II, as settled by the long parliament, was put upon a very bad footing. It was too small, if they intended to make him independent in the common course of his administration: it was too large, and settled during too long a period, if they resolved to keep him in entire dependence. The great debts of the republic, which were thrown upon that prince, the necessity of supplying the naval and military stores, which were entirely exhausted (Clarendon's Speech to the Pail, Oct. 9, 1665), that of repairing and furnishing his palaces—all these causes involved the king in great difficulties immediately after his restoration, and the parliament was not sufficiently liberal in supplying him. Perhaps too he had contracted some debts abroad, and his bounty to the distressed cavaliers, though it did not correspond either to their services or expectations, could not fail, in some degree, to exhaust his treasury. The extraordinary sums granted the king during the first years, did not suffice for these extraordinary expenses, and the excise and customs, the only constant revenue, amounted not to nine hundred thousand pounds a year, and fell much short of the ordinary burdens of government. The addition of hearth-money in 1662, and of other two branches in 1669 and 1670, brought up the revenue to 1,358,000*l.*, as we learn from Lord Danby's account. But the same authority informs us, that the yearly expense of government was at that time 1,387,770*l.*;² without mentioning contingencies, which are always considerable, even under the most prudent administration. Those branches of revenue, granted in 1669 and 1670, expired in 1680, and were never renewed by parliament. They were computed

¹ Such as Rapin Thoyras, Locke, Sidney, Hoadley, &c.

² Ralph's Hist., vol. i. p. 288. We learn from that lord's Mem. p. 12, that the receipts of the Exchequer, during six years, from 1673 to 1679, were about 8,200,000*l.*, or 1,366,000*l.* a year, p. 169.

to be above 200,000*l.* a year. It must be allowed, because asserted by all cotemporary authois of both parties, and even confessed by himself, that King Charles was somewhat profuse and negligent. But it is likewise certain, that a very rigid frugality was requisite to support the government under such difficulties. It is a familiar rule in all business, that every man should be paid in proportion to the trust reposed in him, and to the power which he enjoys, and the nation soon found reason, from Charles's dangerous connexions with France, to repent their departure from that prudential maxim. Indeed, could the parliaments in the reign of Charles I. have been induced to relinquish so far their old habits, as to grant that prince the same revenue which was voted to his successor, or had those in the reign of Charles II. conferred on him as large a revenue as was enjoyed by his brother, all the disorders in both reigns might easily have been prevented, and probably all reasonable concessions to liberty might peaceably have been obtained from both monarchs. But these assemblies, unacquainted with public business, and often actuated by faction and fanaticism, could never be made sensible, but too late and by fatal experience, of the incessant change of times and situations. The French ambassador informs his court, that Charles was very well satisfied with his share of power, could the parliament have been induced to make him tolerably easy in his revenue (Dalrymple's *Appendix*, 142).

If we estimate the ordinary revenue of Charles II. at 1,200,000*l.* a year during his whole reign, the computation will rather exceed than fall below the true value. The convention parliament, after all the sums which they had granted the king towards the payment of old debts, threw, the last day of their meeting, a debt upon him, amounting to 1,743,263*l.* (Journals, Dec 29, 1660). All the extraordinary sums, which were afterwards voted him by parliament, amounted to 11,443,407*l.*, which, divided by twenty-four, the number of years which that king reigned, make 476,808*l.* a year. During that time, he had two violent wars to sustain with the Dutch, and in 1678, he made expensive preparations for a war with France. In the first Dutch war, both France and Denmark were allies to the United Provinces, and the naval armaments in England were very great, so that it is impossible he could have secreted any part, at least any considerable part, of the sums which were then voted him by parliament.

To these sums we must add about 1,200,000*l.*, which had been detained from the bankers on shutting up the Exchequer in 1672. The king paid six per cent for this money during the rest of his reign (Danby's *Memoirs*, p. 7). It is remarkable, that, notwithstanding this violent breach of faith, the king, two years after, borrowed money at eight per cent, the same rate of interest which he had paid before that event (Danby's *Memoirs*, p. 65). A proof that public credit, instead of being of so delicate a nature as we are apt to imagine, is, in reality, so hardy and robust, that it is very difficult to destroy it.

The revenue of James was raised by the parliament to about 1,850,000*l.* (Journ. March 1, 1689), and his income as Duke of York, being added, made the whole amount to 2,000,000*l.* a year; a sum well proportioned to the public necessities, but enjoyed by him in too inde-

pendent a manner. The national debt at the revolution amounted to 1,540,926*l*

The militia fell much to decay during these two reigns, partly by the policy of the kings, who had entertained a diffidence of their subjects, partly by that ill-judged law which limited the king's power of mustering and arraying them. In the beginning, however, of Charles's reign, the militia was still deemed formidable. De Witt having proposed to the French king an invasion of England during the first Dutch war, that monarch replied, that such an attempt would be entirely fruitless, and would tend only to unite the English. In a few days, said he, after our landing, there will be 50,000 men at least upon us (D'Estrades, Oct 20, 1666).

Charles, in the beginning of his reign, had in pay near 5,000 men, of guards and garrisons. At the end of his reign he augmented this number to near 8,000. James, on Monmouth's rebellion, had on foot about 15,000 men, and when the Prince of Orange invaded him, there were no fewer than 30,000 regular troops in England.

The English navy, during the greater part of Charles's reign, made a considerable figure, for number of ships, valour of the men, and conduct of the commanders. Even in 1678, the fleet consisted of 83 ships (Pepys's Mem., Murray's Reprint, 1870, p 4), besides 30, which were at that time on the stocks. On the king's restoration he found only 63 vessels of all sizes (Mem. of English Affairs, chiefly 1678-1688). During the latter part of Charles's reign, the navy fell somewhat to decay, by reason of the narrowness of the king's revenue. but James, soon after his accession, restored it to its former power and glory; and before he left the throne, carried it much further. The administration of the admiralty under Pepys, is still regarded as a model for order and economy. The fleet at the revolution consisted of 173 vessels of all sizes, and required 42,000 seamen to man it (Lives of the Admirals, vol. II p 476). That king, when Duke of York, had been the first inventor of sea-signals. The military genius, during these two reigns, had not totally decayed among the young nobility. Dorset, Mulgrave, Rochester, not to mention Ossory, served on board the fleet, and were present in the most furious engagements against the Dutch.

The commerce and riches of England did never, during any period, increase so fast as from the restoration to the revolution. The two Dutch wars, by disturbing the trade of that republic, promoted the navigation of this island; and after Charles had made a separate peace with the States, his subjects enjoyed, unmolested, the trade of Europe. The only disturbance which they met with, was from a few French privateers who infested the channel, and Charles interposed not in behalf of his subjects with sufficient spirit and vigour. The recovery or conquest of New York and the Jerseys was a considerable accession to the strength and security of the English colonies, and, together with the settlement of Pennsylvania and Carolina, which was effected during that reign, extended the English empire in America. The persecutions of the dissenters, or more properly speaking, the restraints imposed upon them, contributed to augment and people these colonies. Dr. Davenant affirms (Discourse on the public Revenues, part II. pp 29, 33, 36), that the shipping of England more than doubled

during these twenty-eight years - Several new manufactures were established in iron, brass, silk, hats, glass, paper, &c One Brewer, leaving the Low Countries, when they were threatened with a French conquest, brought the art of dyeing woollen cloth into England, and by that improvement saved the nation great sums of money. The increase of coinage during these two reigns was 10,261,000*l* A board of trade was erected in 1670, and the Earl of Sandwich was made president Charles revived and supported the charter of the East-India company, a measure whose utility is by some thought doubtful. he granted a charter to the Hudson's Bay company, a measure probably hurtful

We learn from Sir Josiah Child (Brief Observations, &c), that in 1688 there were on the Change more men worth 10,000*l* than there were in 1650 worth a thousand, that 500*l* with a daughter was, in the latter period, deemed a larger portion than 2,000*l* in the former, that gentiewomen, in those earlier times, thought themselves well clothed in a serge gown, which a chambermaid would, in 1688, be ashamed to be seen in, and that, besides the great increase of rich clothes, plate, jewels, and household furniture, coaches were in that time augmented a hundred fold

The Duke of Buckingham introduced from Venice the manufacture of glass and crystal into England Prince Rupert was also an encourager of ~~arts~~ arts and manufactures, and was himself the inventor of etching

The first law for erecting turnpikes was passed in 1662 the places of the turnpikes were Wadesmill, Caxton, and Stilton but the general and great improvement of highways took not place till the reign of George I

In 1663, was passed the first law for allowing the exportation of foreign coin and bullion.

In 1667 was concluded the first American treaty between England and Spain this treaty was made more general and complete in 1670. The two states then renounced all right of trading with each other's colonies, and the title of England was acknowledged to all the territories in America, of which she was then possessed

The French king, about the beginning of Charles's reign, laid some impositions on English commodities and the English, partly displeased with this innovation, partly moved by their animosity against France, retaliated, by laying such restraints on the commerce with that kingdom as amounted almost to a prohibition They formed calculations, by which they persuaded themselves that they were losers 1,500,000*l*, or near 2,000,000*l* a year, by the French trade But no good effects were found to result from these restraints, and in King James's reign they were taken off by parliament

Lord Clarendon tells us, that, in 1665, when money, in consequence of a treaty, was to be remitted to the bishop of Munster, it was found, that the whole trade of England could not supply above 1000*l*. a month to Frankfort and Cologne, nor above 20,000*l*. a month to Hamburgh: these sums appear surprisingly small (Life of Clarendon, p. 237).

At the same time that the boroughs of England were deprived of their privileges, a like attempt was made on the colonies. King James

recalled the charters, by which their liberties were secured, and he sent over governors invested with absolute power. The arbitrary principles of James appear in every part of his administration.

The people, during these two reigns, were, in a great measure, cured of that wild fanaticism, by which they had formerly been so much agitated. Whatever new vices they might acquire, it may be questioned, whether, by this change, they were, in the main, much losers in point of morals. By the example of Charles II. and the cavaliers, licentiousness and debauchery became prevalent in the nation. The pleasures of the table were much pursued. Love was treated more as an appetite than a passion. The one sex began to abate of the national character of chastity, without being able to inspire the other with sentiment or delicacy.

The abuses in the former age, arising from overstrained pretensions to piety, had much propagated the spirit of irreligion, and many of the ingenious men of this period lie under the imputation of deism. Besides wits and scholars by profession, Shaftesbury, Halifax, Buckingham, Mulgrave, Sundeiland, Essex, Rochester, Sidney, Temple, are supposed to have adopted these principles.

The famous factions which formerly distracted the nation, were revived, and excited themselves in the most ungenerous and unmanly enterprises against each other. King Charles being in his whole deportment a model of easy and gentleman-like behaviour, improved the politeness of the nation; as much as faction, which of all things is most destructive to that virtue, could possibly permit. His courtiers were long distinguishable in England by their obliging and agreeable manners.

Till the revolution, the liberty of the press was very imperfectly enjoyed in England, and during a very short period. The star-chamber, while that court subsisted, put effectual restraints upon printing. On the suppression of that tribunal in 1641, the long parliament, after their rupture with the king, assumed the same power with regard to the licensing of books, and this authority was continued during all the period of the republic and protectorship (Scobell, i. 44, 134, ii. 88, 230). Two years after the restoration, an act was passed, reviving the republican ordinances. This act expired in 1679; but was revived in the first of King James. The liberty of the press did not even commence with the revolution. It was not till 1694, that the restraints were taken off, to the great displeasure of the king, and his ministers, who, seeing nowhere, in any government, during present or past ages, any example of such unlimited freedom, doubted much of its salutary effects, and probably thought, that no books or writings would ever so much improve the general understanding of men, as to render it safe to entrust them with an indulgence so easily abused.

In 1677, the old law for burning heretics was repealed; a prudent measure, while the nation was in continual dread of the return of popery.

Amidst the thick cloud of bigotry and ignorance, which overspread the nation, during the commonwealth and protectorship, there were a few sedate philosophers, who, in the retirement of Oxford, cultivated their reason, and established conferences for the mutual communica-

tion of their discoveries in physics and geometry Wilkins, a clergyman, who had married Cromwell's sister, and was afterwards Bishop of Chester, promoted these philosophical conversations. Immediately after the restoration, these men procured a patent, and having enlarged their number, were denominated the 'Royal Society.' But this patent was all they obtained from the king. Though Charles was a lover of the sciences, particularly chemistry and mechanics; he animated them by his example alone, not by his bounty. His craving courtiers and mistresses, by whom he was perpetually surrounded, engrossed all his expense, and left him neither money nor attention for literary merit. His contemporary, Lewis, who fell short of the king's genius and knowledge in this particular, much exceeded him in liberality. Besides pensions conferred on learned men throughout all Europe, his academies were directed by rules and supported by salaries: a generosity which does great honour to his memory, and, in the eyes of all the ingenious part of mankind, will be esteemed an atonement for many of the errors of his reign. We may be surprised, that this example should not be more followed by princes, since it is certain that that bounty, so extensive, so beneficial, and so much celebrated, cost not this monarch so great a sum as is often conferred on one useless overgrown favourite or courtier.

But though the French academy of sciences was directed, encouraged and supported by the sovereign, there arose in England some men of superior genius who were more than sufficient to cast the balance, and who drew on themselves and on their native country the regard and attention of Europe. Besides Wilkins, Wren, Wallis, eminent mathematicians, Hooke, an accurate observer by microscopes, and Sydenham, the restorer of true physic, there flourished during this period a Boyle and a Newton, men who trod with cautious and therefore the more secure steps, the only road which leads to true philosophy.

Boyle improved the pneumatic engine invented by Otto Guericke, and was thereby enabled to make several new and curious experiments on the air, as well as on other bodies. His chemistry is much admired by those who are acquainted with that art. His hydrostatics contain a greater mixture of reasoning and invention with experiment than any other of his works; but his reasoning is still remote from that boldness and temerity which had led astray so many philosophers. Boyle was a great partisan of the mechanical philosophy, a theory, which, by discovering some of the secrets of nature, and allowing us to imagine the rest, is so agreeable to the natural vanity and curiosity of men. He died in 1691, aged 65.

In Newton this island may boast of having produced the greatest and rarest genius that ever arose for the ornament and instruction of the species. Cautious in admitting no principles but such as were founded on experiment; but resolute to adopt every such principle, however new or unusual from modesty, ignorant of his superiority above the rest of mankind, and thence, less careful to accommodate his reasonings to common apprehensions, more anxious to merit than acquire fame, he was, from these causes, long unknown to the world; but his reputation at last broke out with a lustre, which scarcely any

writer, during his own lifetime, had ever before attained. While Newton seemed to draw off the veil from some of the mysteries of nature, he showed at the same time the imperfections of the mechanical philosophy; and thereby restored her ultimate secrets to that obscurity in which they ever did and ever will remain. He died in 1727, aged 85.

This age was far from being so favourable to polite literature as to the sciences. Charles, though fond of wit, though possessed himself of a considerable share of it, though his taste in conversation seems to have been sound and just; served rather to corrupt than improve the poetry and eloquence of his time. When the theatres were opened at the restoration, and freedom was again given to pleasantry and ingenuity, men, after so long an abstinence, fed on these delicacies with less taste than avidity, and the coarsest and most irregular species of wit was received by the court as well as by the people. The productions, represented at that time on the stage, were such monsters of extravagance and folly, so utterly destitute of all reason or even common sense, that they would be the disgrace of English literature, had not the nation made atonement for its former admiration of them, by the total oblivion to which they are now condemned. The Duke of Buckingham's Rehearsal, which exposed these wild productions, seems to be a piece of ridicule carried to excess: yet in reality the copy scarcely equals some of the absurdities which we meet with in the originals. Buckingham died on the 16th of April, 1688.

This severe satire, together with the good sense of the nation, corrected, after some time, the extravagances of the fashionable wit; but the productions of literature still wanted much of that correctness and delicacy which we so much admire in the ancients, and in the French writers, their judicious imitators. It was indeed during this period chiefly, that that nation left the English behind them in the productions of poetry, eloquence, history, and other branches of polite letters, and acquired a superiority, which the efforts of English writers, during the subsequent age, did more successfully contest with them. The arts and sciences were imported from Italy into this island as early as into France; and made at first more sensible advances. Spencer, Shakspeare, Bacon, Jonson, were superior to their cotemporaries, who flourished in that kingdom. Milton, Waller, Denham, Cowley, Harvey, were at least equal to their cotemporaries. The reign of Charles II. which some preposterously represent as our Augustan age, retarded the progress of polite literature in this island; and it was then found, that the immeasurable licentiousness, indulged or rather applauded at court, was more destructive to the refined arts than even the cant, nonsense, and enthusiasm of the preceding period.

Most of the celebrated writers of this age remain monuments of genius, perverted by indecency and bad taste; and none more than Dryden, both by reason of the greatness of his talents, and the gross abuse which he made of them. His plays, excepting a few scenes, are utterly disfigured by vice or folly, or both. His translations appear too much the offspring of haste and hunger: even his fables are ill-chosen tales, conveyed in an incorrect, though spirited versification. Yet, amidst this great number of loose productions, the refuse of our

language, there are found some small pieces, his Ode to St. Cecilia, the greater part of Absalom and Achitophel, and a few more, which discover so great genius, such richness of expression, such pomp and variety of numbers, that they leave us equally full of regret and indignation, on account of the inferiority or rather great absurdity of his other writings. He died in 1701, aged 69.

The very name of Rochester is offensive to modest ears; yet does his poetry discover such energy of style and such poignancy of satire, as give ground to imagine what so fine a genius, had he fallen in a more happy age, and had followed better models, was capable of producing. The ancient satirists often used great liberties in their expressions, but their freedom no more resembles the licentiousness of Rochester, than the nakedness of an Indian does that of a common prostitute.

Wycherley was ambitious of the reputation of wit and libertinism; and he attained it. he was probably capable of reaching the fame of true comedy, and instructive ridicule. Otway had a genius finely turned to the pathetic, but he neither observes strictly the rules of the drama, nor the rules, still more essential, of propriety and decorum. By one single piece, the Duke of Buckingham did both great service to his age, and honour to himself. The Earls of Musgrave, Dorset, and Roscommon, wrote in a good taste, but their productions are either feeble or careless. The Marquis of Halifax discovers a refined genius, and nothing but leisure and an inferior station seems wanting to have procured him eminence in literature.

Of all the considerable writers of this age, Sir William Temple is almost the only one that kept himself altogether unpolluted by that inundation of vice and licentiousness which overwhelmed the nation. The style of this author, though extremely negligent, and even infected with foreign idioms, is agreeable and interesting. That mixture of vanity which appears in his works, is rather a recommendation to them. By means of it, we enter into acquaintance with the character of the author, full of honour and humanity, and fancy that we are engaged, not in the perusal of a book, but in conversation with a companion. He died in 1698, aged 70.

Though Hudibras was published and probably composed during the reign of Charles II., Butler may justly, as well as Milton, be thought to belong to the foregoing period. No composition abounds so much as Hudibras in strokes of just and inimitable wit, yet are there many performances which give us great or greater entertainment on the whole perusal. The allusions in Butler are often dark and far-fetched; and though scarcely any author was ever able to express his thoughts in so few words, he often employs too many thoughts on one subject, and thereby becomes prolix after an unusual manner. It is surprising how much erudition Butler has introduced with so good a grace into a work of pleasantry and humour: Hudibras is perhaps one of the most learned compositions that is to be found in any language. The advantage which the royal cause received from this poem, in exposing the fanaticism and false pretences of the former parliamentary party, was prodigious. The king himself had so good a taste as to be highly pleased with the merit of the work, and had

even got a great part of it by heart: yet was he either so careless in his temper, or so little endowed with the virtue of liberality, or, more properly speaking, of gratitude, that he allowed the author, a man of virtue and probity, to live in obscurity, and die in want. Butler died in 1680, aged 68. Dryden is an instance of a negligence of the same kind. His Absalom sensibly contributed to the victory which the Tories obtained over the Whigs, after the exclusion of parliaments: yet could not this merit, aided by his great genius, procure him an establishment which might exempt him from the necessity of writing for bread. Otway, though a professed royalist, could not even procure bread by his writings; and he had the singular fate of dying literally of hunger. These incidents throw a great stain on the memory of Charles, who had discernment, loved genius, was liberal of money, but attained not the praise of true generosity.

FINIS.

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